United Nations S/2007/759

Security Council

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Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur

I. Introduction

1. The present report is submitted pursuant to paragraph 21 of Security Council resolution 1769 (2007) of 31 July 2007, by which the Council requested me to report every 90 days on the progress, and to report on any obstacles to: (a) the deployment of the light and heavy support packages and the African Union-United Nations Hybrid Operation in Darfur (UNAMID); (b) the implementation of the joint communiqué of the Government of the Sudan and the United Nations on the facilitation of humanitarian activities in Darfur; (c) the political process; (d) the implementation of the Darfur Peace Agreement and the parties' compliance with their international obligations and their commitments under relevant agreements; and (e) the ceasefire and the situation on the ground in Darfur. The report covers developments since August 2007.

II. Deployment of the light and heavy support packages and the Hybrid Operation

A. Light support package

2. The light support package, which was developed jointly with the African Union pursuant to resolution 1706 (2006), consists of 105 military staff officers, 33 police advisers, 48 civilian staff, 360 night-vision goggles, 36 global positioning systems, 8 fly-away kits, public information equipment and 36 armed personnel carriers. The entirety of the light support package has been deployed to the African Union Mission in the Sudan (AMIS).

3. Military staff officers who are part of the light support package are providing support for the establishment of the joint operations centre, the joint mission analysis centre and the joint logistics centre. The police advisers authorized under the light support package are deployed to El Fasher, Nyala and Geneina, and are actively assisting the AMIS police component in its efforts to strengthen command and control structures, improve monitoring and reporting systems and establish mechanisms to address gender-based violence.

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B. Heavy support package

4. The heavy support package, which was agreed upon with the African Union pursuant to resolution 1706 (2006), consists of 2,250 military personnel, 301 police advisers, 3 formed police units and 1,136 civilian personnel.

5. On 24 November, 135 of the 335 personnel of the multi-role engineer and well-drilling company from China arrived in Nyala. Owing to delays in the inland transportation of the engineering equipment from Khartoum to Nyala, the unit is not yet operational. The equipment is expected to arrive by the end of December. The cargo readiness date for the main body of the unit has yet to be provided, and the unit's full deployment is expected by the end of March 2008.

6. All other countries contributing military personnel to the heavy support package have undertaken reconnaissance visits to Darfur, and pending the successful completion of these assessments, more units will commence deployment early in 2008. Current estimates indicate that one multi-role engineer company (335), one medium transport unit (150) and one signals company (185), all from Egypt, will deploy by mid-February 2008.

7. A number of other critical capabilities are expected to deploy by the end of March 2008, including one multi-role logistics company (300) from Bangladesh; one multi-role engineers company (335), one level III hospital (120) and subject to predeployment visits — one aerial reconnaissance unit, all from Pakistan; and one level II hospital (60) from Nigeria. In addition, one utility helicopter unit (200) and one light tactical helicopter unit (160), both from Jordan, were to deploy by November 2007, however these offers were withdrawn following the reconnaissance visit to Darfur.

8. With regard to the police component of the heavy support package, 87 of 301 individual officers have arrived in Darfur and are supporting AMIS in the area of operational planning, logistics and human resource management. Over 200 additional police officers are on travel status and are scheduled to arrive in December and January. The first formed police unit under the heavy support package, from Bangladesh, arrived in Nyala on 21 November. It will be joined by approximately 100 individual police officers and a second formed police unit from Nepal by February 2008. In addition, 785 of 1,143 authorized civilian personnel have been deployed to the mission area, including 285 international staff and 522 national staff.

9. The implementation of the heavy support package has been delayed by the security situation, administrative obstacles, logistical challenges and the readiness of troop contributors, among other factors. Specifically, gaps in the availability of water and land and the capacity of both military and contracted engineers to build camps continue to constrain the pace of deployment of heavy support package units.

10. In addition, the killing of an Egyptian United Nations officer in El Fasher in May 2007 prompted many troop-contributing countries to place a restriction on the forward deployment of their staff officers from Khartoum. It is hoped that with the establishment of the UNAMID Interim Force and Police Headquarters, the moratorium will be soon lifted.

C. Hybrid Operation

11. With regard to the deployment of UNAMID, in resolution 1769 (2007), paragraph 5, the Security Council set the following benchmarks: (a) no later than October 2007, UNAMID to establish an initial operating capability for the headquarters and establish financial arrangements to cover troop costs for all personnel deployed to AMIS; (b) as of October 2007, UNAMID to complete preparations to assume operational command authority over the light support package, personnel currently deployed to AMIS and heavy support package and hybrid personnel by the transfer of authority; and (c) no later than 31 December 2007, UNAMID to assume authority from AMIS.

12. In accordance with resolution 1769 (2007), initial operating capability for UNAMID headquarters was established in October 2007. As indicated in my most recent 30-day report (S/2007/653) dated 5 November, AMIS force headquarters has been reorganized as part of preparations for the transition to UNAMID. In this regard, staff structures are now in place to support a three-sector structure and the focus continues to be on preparing for the transfer of authority while continuing current operations. The rotation of AMIS forces also continues on schedule, including the deployment of additional battalions from Nigeria and Rwanda to the mission area.

13. The appointments of key senior staff, including the Joint Special Representative, his deputy, the Force Commander and his deputy, the Police Commissioner and one of his deputies, the Military Chief of Staff and all sector commanders and deputy sector commanders have been completed in consultation with the African Union.

14. The reimbursement of AMIS troop-contributing Governments began in mid-November 2007 for the month of October 2007. In addition, the proposed budget for UNAMID for the period from 1 July 2007 to 30 June 2008 (A/62/380) was reviewed by the Advisory Committee on Administrative and Budgetary Questions in mid-October 2007 and was presented to the Fifth Committee on 8 November 2007. As noted in my previous report (S/2007/653), as an exceptional measure outlined in my letter dated 2 October 2007 to the President of the General Assembly (A/62/379), substantial support to AMIS under the heavy support package provisions has been financed through the temporary use of resources of the United Nations Mission in the Sudan (UNMIS). Upon approval by the General Assembly of the budget for UNAMID, expenditures incurred by UNMIS in support of AMIS will be reimbursed by UNAMID.

15. With regard to the force composition of UNAMID, as I noted in my previous report, the United Nations and the African Union have received contributions from Member States towards most of the ground-troop capabilities required for UNAMID. The actual deployment of these capabilities requires the completion of ongoing predeployment preparations; logistical support and facilities, including the identification of land; and a clear indication of the Government of the Sudan that these contributions to the implementation of resolution 1769 (2007) are welcome. Subject to these factors, advance elements of the first three infantry battalions of UNAMID are expected to be deployed in January 2008.

16. At the same time, the process of generating aviation and transportation units has not been successful. Three weeks before the transfer of authority, UNAMID is

still short of pledges for one heavy and one medium ground transport unit, three military utility aviation units (18 helicopters in total) and one light tactical helicopter unit (6 helicopters). These capabilities are indispensable not only for the timely deployment of UNAMID, but also for the implementation of its mandate. The lack of helicopters is of particular concern. As I explained to the Security Council in my letter dated 6 December, UNAMID must be capable of rapid mobility over large distances, especially over terrain where roads are the exception. Without the missing helicopters, this mobility — a fundamental requirement for the implementation of the UNAMID mandate — will not be possible.

17. In identifying troop contributors, the United Nations and the African Union have focused on ensuring that they have the required capabilities to perform their mandated tasks and are able to deploy in a timely manner. The two organizations have also sought to assemble a balanced force that would unquestionably meet the "African character" criterion referred to in resolution 1769 (2007) and whose impartiality would be beyond reproach.

18. From among the pledges received, the African Union and the United Nations have put together a list in accordance with these priorities and transmitted it to the Government of the Sudan on 2 October. The Government however expressed reservations about certain non-African units in the force, including the infantry battalion from Thailand, the force reserve/special forces and sector reserve companies from Nepal and the Nordic engineering company. The United Nations and the African Union engaged in intensive consultations with the Government of the Sudan in order to address its concerns on this matter and to discuss issues related to the deployment of UNAMID. These consultations included high-level meetings in Addis Ababa in November, where the Government of the Sudan expressed its wish to see more African troops deployed in the early stages of UNAMID. To meet that concern, a special African Union/United Nations task force travelled to Cairo and Addis Ababa, accompanied by Sudanese Government officials, to ascertain the possibility of accelerating the deployment of UNAMID troops selected from Egypt and Ethiopia. The two countries confirmed that they would be able to accelerate the deployment of their selected battalions in January 2008.

19. The United Nations also sent a high-level team to meet with Sudanese officials in the margins of the European Union-Africa summit in Lisbon on 7 and 8 December to discuss issues related to the deployment of UNAMID. The meeting identified priority issues that were to be resolved at a follow-up meeting in Khartoum between the Joint Special Representative, Rodolphe Adada, and the national mechanisms established by the Government of the Sudan to facilitate the deployment and operations of UNAMID. The follow-up meeting took place on 11 December. During the meeting, the Government promised that it would inform the United Nations officially of its position regarding the Thai, Nepalese and Nordic units, but as of 19 December, it had yet to communicate its response. However, on several occasions, the Government has stated publicly that it would not accept the Nordic unit. Nevertheless, preparations for the deployment of the Thai battalion and the Nepalese and Nordic units are proceeding in anticipation of definitive feedback from the Government.

20. The meeting also addressed outstanding technical issues. The Government agreed, in principle, to give a blanket permission for night flying, on condition that

the United Nations would upgrade the airports in Darfur. The Government also made commitments to provide land for UNAMID sites in Geneina, but this has to be followed up by the identification of precise locations.

21. In the meantime, 830 civilian personnel have been deployed to Darfur and preparations for the deployment of all agreed military units continue, including 10 predeployment and reconnaissance visits in the last four weeks alone. The United Nations and the African Union worked tirelessly with troop- and police-contributing countries to have new UNAMID units deployed before the transfer of authority. It is standard practice, however, for deployment to occur following a sequence of predeployment visit, reconnaissance, negotiation of a memorandum of understanding and finally provision of the definitive and complete list of all personnel and equipment to be lifted into theatre. It is at the end of that process that the actual movement of men, women and material begins. The United Nations and the African Union are working with troop-contributing countries to accelerate these preparations, which must be carried out in partnership between the troop contributors and the Secretariat.

22. As part of the logistical preparations required for the support of UNAMID, the physical verification of AMIS assets and equipment in Darfur is under way so as to ascertain their condition and appropriateness in preparation for the transfer of authority to UNAMID. Strategic deployment stocks and other equipment and assets critical for the UNAMID deployment have been pre-positioned in El Obeid. I welcome the agreement of the Government of the Sudan that the El Obeid base be open for use by UNAMID. The base is being expanded to support the induction training and transit of up to 750 individuals.

III. Joint communiqué on the facilitation of humanitarian activities in Darfur

23. Following the signing on 28 March 2007 of the joint communiqué between the United Nations and the Government of the Sudan on the facilitation of humanitarian activities in Darfur, a high-level committee was established to ensure the effectiveness of humanitarian operations in Darfur. The committee is co-chaired by the Minister for Humanitarian Affairs and the UNMIS Deputy Special Representative, who is also the Humanitarian and Resident Coordinator for the Sudan.

24. The high-level committee met twice during the reporting period, in the first and third weeks of September. While administrative procedures for the delivery of humanitarian assistance have improved, the communiqué has been tested during the reporting period. The issue of the expelled Director of the Cooperative for American Relief Everywhere (CARE) has yet to be resolved, several humanitarian organizations in Northern Darfur have had difficulties renewing their travel permits, and non-governmental organizations' access to Kalma camp in Southern Darfur has been difficult.

25. In a disturbing development, on 4 November, the Governor of Southern Darfur transmitted a letter stating that the head of the Nyala sub-office of the Office for the Coordination of Humanitarian Affairs was being expelled on the grounds that he was not complying with the rules of the Humanitarian Act in the State. Of particular

concern was the publication of the stated justifications for the expulsion in Sudanese newspapers, despite the fact that Government officials in Khartoum had committed themselves to resolving the issue through established mechanisms between the Government and the United Nations. This action is in violation of the spirit of the communiqué.

26. While challenges to its implementation remain, the communiqué is an important tool to facilitate cooperation between the Government and the United Nations on the provision of humanitarian assistance, insofar as it commits the Government to the full and rapid implementation of the measures related to humanitarian activities included in the 2004 joint communiqué between the Government of the Sudan and the Secretary-General (the "Moratorium on Restrictions"). The Moratorium has been extended several times, and now expires on 31 January 2008. Unless the Moratorium is extended in a timely fashion, the 2007 joint communiqué will expire with it. In order to avoid an interruption of humanitarian assistance, the Moratorium and the communiqué must be extended immediately to allow time for humanitarian actors to renew visas and permits before the 31 January expiration date.

27. The humanitarian situation in Darfur continues to be volatile. In October alone, more than 20,000 civilians were displaced by armed clashes between Government forces and non-signatories to the Darfur Peace Agreement and among Darfur movements themselves, bringing the total number of people displaced in 2007 to almost 270,000. September health statistics from one health clinic in Southern Darfur showed a very high rate of sexually transmitted infections following attacks and fighting in August, with 183 cases reported to have been treated, including 40 cases in children under five.

28. Violence and tensions persist in camps for the displaced. The raids of Government forces and police into camps, as well as conflicts in and around the camps, have led to loss of life, destruction of shelters and the arbitrary detention of civilians. On 28 October, Government police officers and soldiers forcibly relocated hundreds of new arrivals from Kalma from the Otash camp in Nyala, Southern Darfur, without prior notice and in contravention of existing agreements between the Government, the United Nations and the International Organization for Migration. In early November, the Governor of Nyala announced his intent to disarm the camp forcibly. Joint Special Representative Adada and the Force Commander, General Martin Agwai, are involved in intensive discussions with the Government of the Sudan to explore ways to stabilize the camp in compliance with international humanitarian standards.

29. It is of grave concern that humanitarian workers are increasingly becoming targets of violence and armed robberies. In October alone, seven humanitarian personnel were killed in Darfur, the highest number in a single month since July 2006. In 2007, a total of 12 humanitarian workers have been killed, 15 wounded, 59 physically assaulted and 118 abducted during hijackings, while 75 humanitarian premises have been invaded by armed men. Owing to general insecurity or targeted attacks, humanitarian organizations have had to relocate on 31 occasions so far in 2007. Several United Nations staff members and convoys have been robbed en route to office premises and humanitarian sites. This year alone, 142 vehicles of United Nations and humanitarian agencies have been stolen throughout Darfur.

IV. Political process

30. As noted in my last 30-day report (S/2007/653), the Darfur peace talks opened in Sirte, Libyan Arab Jamahiriya, on 27 October under the auspices of the United Nations and African Union Special Envoys for Darfur, Jan Eliasson and Salim Ahmed Salim. Those present at the opening session included a delegation from the Government of the Sudan, 18 representatives of non-signatory movements and representatives from civil society, including women. High-level representatives from the four regional partners (Chad, Egypt, Eritrea and the Libyan Arab Jamahiriya) and the wider international community were also present. However, a number of leading personalities of the non-signatory movements did not attend the opening session.

31. Following the opening session, which included two lively plenary debates, the African Union-United Nations Joint Mediation Support Team held closed meetings with the parties, regional partners and international observers to discuss the substantive issues to be addressed during the next stage of the negotiations or direct talks. These included matters related to security, power-sharing and wealth-sharing (including land) and humanitarian issues. The Support Team also dispatched a team to Juba and Darfur to hold consultations with those movements that remained outside of the Sirte process.

32. In the meantime, the Sudan People's Liberation Movement (SPLM) in Juba assisted the movements in coalescing into two broad groups — 11 different faction representatives who have united as the Sudan Liberation Movement-Army (SLM-A) and five factions which have agreed to work together in the new United Resistance Front (URF). These two groups have pledged to coordinate their positions on the issues for the talks and to encourage those movements and personalities not present in Juba to join the unification process. In this regard, URF is travelling to Darfur to meet with its own constituency, field commanders and other factions, notably SLM-Unity. They then intend to return to Juba to finalize unification with the SLM-A "Group of 11". For its part, the "Group of 11" is of the view that full unification of the movements is necessary before they can participate in the substantive talks. The Special Envoys continue to believe that the movements should focus on unifying their positions and nominating a negotiation team rather than striving to achieve full unification as this may considerably delay the peace process.

33. While I welcome this latest development, I also recognize that other movement leaders, not least Abdul Wahid al-Nur of the Sudan Liberation Army (SLA) and Khalil Ibrahim of the Justice and Equality Movement (JEM), remain outside the ongoing unification process. It is critical that all movements join the political process without further delay. Some movements have also insisted that the delegation of the Government of the Sudan be one of National Unity, with SPLM and Minni Minawi represented. The tensions between SPLM and the National Congress Party (NCP), as well as the stand-off between Minawi and NCP on the issue of Minawi's demand of separate representation at the talks, add to the difficulties. All efforts must now be made to ensure that these issues are resolved and that progress is achieved on implementation of the Comprehensive Peace Agreement.

34. It is paramount that all parties commit themselves to an end to violence and a cessation of hostilities. Parties cannot talk and fight at the same time. In this context, I welcome the unilateral declaration of the Government of the Sudan of a cessation of hostilities during the opening session in Sirte. I call upon all parties to the conflict to make a similar commitment without delay. However, such commitments need to be translated into action on the ground. I am also concerned by reports of continuing violence by all sides, including recent bombardments by the Government of the Sudan.

35. In the weeks ahead, and in close cooperation and coordination with the regional partners (Chad, Egypt, Eritrea, and the Libyan Arab Jamahiriya), the Special Envoys and their team will continue consultations with the parties in the Sudan and the region to prepare them for the substantive talks. They will also continue consultations with representatives of civil society in Darfur.

36. In addition and as I have said before, peace in the Sudan is indivisible, and lack of progress in the implementation of the Comprehensive Peace Agreement could have implications for the peace process in Darfur. I was therefore concerned about the stand-off between NCP and SPLM which led to the recent suspension of participation by SPLM in the Government of National Unity. While it is encouraging that the two sides have continued their dialogue, leading to SPLM returning to the Government on 11 December, progress on key outstanding issues such as Abyei and demarcation of the 1956 boundary continues to be needed.

V. Implementation of the Darfur Peace Agreement and the parties' compliance with their international obligations and their commitments under relevant agreements

37. The Ceasefire Commission remained paralysed during the reporting period, while fighting continued among different factions of rebel movements. Although the Commission met 16 times during this period, it was not able to agree upon steps to monitor and implement the ceasefire, partly owing to the fact that participating factions refused to address ceasefire violations unless the issue of the payment of mission subsistence allowance was resolved. Similarly, no significant progress was made during the reporting period on the power- and wealth-sharing aspects of the Darfur Peace Agreement.

38. With regard to the outstanding mission subsistence allowance owed to those members of Darfur rebel movements participating in the Ceasefire Commission, I am pleased to report that the African Union has identified funds to make final and conclusive payments. I have written to key donors who have pledged funds to the African Union Commission to cover associated costs, encouraging them to make these monies available as soon as possible so that this matter can be brought to a close. The payment of mission subsistence allowance to rebel movement participants in the Ceasefire Commission will not continue after the transfer of authority to UNAMID, making it all the more urgent that this issue be resolved as quickly as possible.

39. In preparation for the Sirte process, a consultative framework was established by the Preparatory Committee of the Darfur-Darfur Dialogue and Consultation, through which representatives from civil society could provide input to the talks.

The Preparatory Committee is also preparing capacity-building workshops for civil society representatives.

VI. Ceasefire and security situation in Darfur

40. The reporting period has seen an increase in the level of violence in Darfur. In August, clashes between the Terjem and Rezeigat tribes resulted in the deaths of 100 civilians in Southern Darfur. Fighting between the Maaliya tribe and the Zaghawa group supported by SLM-Minawi broke out in Muhajeriya in August, killing 30 civilians and displacing about 10,000. In the last two weeks of August, armed clashes between the Salamat and Habaniya tribes south of Wed Ajam, Southern Darfur, inflicted heavy causalities on both sides. In October, Muhajeriya was attacked again by militiamen from the Maalya tribe; three local employees of non-governmental organizations were killed and some 20,000 civilians were forced to flee. These clashes are an indication of ongoing instability and inter-tribal tensions, particularly in Southern Darfur.

41. Armed clashes between Darfur movements and the Government of the Sudan have also continued during the reporting period. In August, an attack on local police in Adilla by a splinter faction of JEM and SLM-Unity led to the deaths of 20 police officers. Aerial bombardments by Government forces in Adilla in retaliation for the attack caused the displacement of 25,000 civilians. On 10 September, heavy fighting broke out between JEM/SLM-Unity and the Sudanese Armed Forces in and around Haskanita in Northern Darfur, killing a large number of Government soldiers. On 13 September, another rebel faction ambushed a Government convoy heading to Umm Baru, north-west of El Fasher, at two locations and at least nine Government soldiers and six SLM soldiers were reportedly killed.

42. On 24 November, a Sudanese Air Force aircraft attacked a village north of Garsilla, killing large numbers of civilians and livestock. On 5 and 8 December, the Sudanese Armed Forces bombed SLA and JEM positions in the area of Jebel Moon.

43. Moreover, the conflict in Southern Darfur threatens to spill over into the neighbouring western areas of Kordofan. Militant groups in this area have claimed to be allied with JEM, which in the reporting period claimed responsibility for attacks in Wad Banda (Northern Kordofan) on 29 August and Diffra (Southern Kordofan) on 24 October. On 24 October in particular, JEM announced that its forces had attacked the Defra oilfield in Kordofan and kidnapped two expatriate employees. Again on 11 December, Khalil Ibrahim said that his forces and local Arab tribesmen had attacked the garrison and oilfield in the Heglig area of Abyei, in a new attempt to broaden the conflict beyond Darfur.

44. On 1 August, a group calling itself the Democratic Popular Defence Forces and consisting of different Arab and non-Arab tribes took 12 soldiers hostage in Western Darfur. On 19 August, 40 to 50 militiamen attacked a police station near Al Salam Camp, killing three officers, injuring four and looting weapons and ammunition.

45. The reporting period also witnessed a shocking attack on the AMIS military group site in Haskanita on 29 and 30 September, which left 12 peacekeepers dead. As noted in my last 30-day report (S/2007/653, para. 8), the preliminary results of an investigation initiated by the AMIS Force Commander immediately after the

attack suggest that it was conducted by rebels entering the camp in vehicles bearing the inscription "JEM". The motive of the attack appears to have been looting of AMIS logistical equipment. The report of an ongoing joint African Union-United Nations investigation is expected to be issued in December.

VII. Observations

46. Four months into the implementation of Security Council resolution 1769 (2007), the primary goal of the United Nations and the African Union remains that of having a mission which is able to effectively implement the mandate given by the Security Council and which is capable of making a positive impact on the lives of the people of Darfur. The progress made towards this goal is still modest. At the transfer of authority UNAMID will have at its disposal essentially the same assets which are currently on the ground for AMIS. Consequently, in its early phase, UNAMID will still have limited capacity to bring about the desired early effect on the situation on the ground, and on the lives of the population of Darfur. In addition to the limited numbers, the Mission will lack the critical aviation capabilities I have described earlier in this report.

47. Furthermore, the Government does not appear to have fully embraced the fact that a robust and effective UNAMID will contribute towards Darfur's long-term stability. Also the continuing activity of the rebel movements, including the recent attacks on Government forces, oil installations and the AMIS Chief of Staff's vehicle, and the attacks on and hijacking of humanitarian vehicles all underscore the uncertain circumstances under which UNAMID will be starting its operations with limited capabilities.

48. Despite these challenges, every effort will be made to make maximum use of the resources and personnel on the ground. The force and police components will take a more forward-leaning posture. Patrolling, outreach to internally displaced persons, and support to the humanitarian community will all increase. Nevertheless, this change in approach cannot replace the thousands of troops and police officers and vital equipment which will not arrive until later in 2008. This is a particularly worrying scenario given the ongoing insecurity in Darfur, and the very strong possibility that the Mission will be tested by spoilers in the early stages.

49. In this context, and because time is against us, I reiterate my appeal to Member States for support in accelerating the deployment of selected units and filling outstanding gaps in force composition. As I stress the critical importance of these assets for the ability of UNAMID to perform its mandated tasks, it is important also to note that other options, including civilian contractors, have been considered and, given the current security situation in Darfur, are deemed unable to transport troops which may be required to respond to emergency security situations. In the light of the high expectations of the people of Darfur and given the complex mandate set out in resolution 1769 (2007), I believe that the international community cannot afford the risks associated with the deployment of a weak force to Darfur.

50. In addition to the acceleration of these processes, the successful deployment and effective functioning of the Mission will be highly dependent on the ability of the United Nations and the African Union to work with the Government of the Sudan to address and rapidly resolve the complex technical issues related to deployment. I welcome the meetings in Lisbon and the follow-up in Khartoum as

opportunities to engage with the Government and create momentum for our efforts to deploy UNAMID. I expect this positive engagement to continue and to deliver concrete results, since the establishment of a massive multidimensional peacekeeping operation cannot proceed without it.

51. It is my conviction that, once fully deployed, the peacekeeping force should help improve security conditions in Darfur and contribute to stability in the Sudan. However, it is only through political dialogue and inclusive consultations that the parties will be able to reach a viable, sustainable and comprehensive solution to the crisis. The United Nations and African Union Special Envoys, Jan Eliasson and Salim Ahmed Salim, have made every effort to engage all parties concerned in the process of finding a political solution to the crisis. While the merging of a number of rebel movements into two coalitions is a step forward, there is still an enormous amount of ground to cover. The parties must effectively address and move on from the ongoing focus on who will be at the table and turn their energies, with the support of the African Union-United Nations mediation, to the substance of the negotiations themselves. Only in this way will the outstanding grievances of all parties be addressed and the requirements for a lasting solution to the crisis identified.

52. Finally, I would like to pay tribute to the brave men and women of the African Union Mission in the Sudan, the humanitarian community in Darfur, Joint Special Representative Adada, and the men and women who have deployed to Darfur as part of the light and heavy support packages for AMIS for their tireless work to support the people of Darfur and bring an end to this tragic chapter in the Sudan's history.

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Security Council

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28 December 2007

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Report of the Secretary-General concerning the credentials of the representatives and deputies and alternate representatives of the members of the Security Council elected for the period 2008-2009

1. At its 26th plenary meeting, on 16 October 2007, the General Assembly elected Burkina Faso, Costa Rica, Croatia, the Libyan Arab Jamahiriya and Viet Nam as non-permanent members of the Security Council for a term of two years beginning on 1 January 2008.

2. Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that, with regard to the representation of the members of the Council elected for the period 2008-2009, he has received the communications referred to hereunder.

Burkina Faso: Credentials from the Minister for Foreign Affairs and Regional Cooperation of Burkina Faso, signed on 27 December 2007, stating that Michel Kafando has been appointed representative of Burkina Faso on the Security Council, Paul Robert Tiendrebeogo and Bonaventure Koudougou, deputy representatives, and Antoine Somdah, Ibsen Sifana Koné, Saïdou Zongo, Léopold Bonkoungou and Mariam Fofana, alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Costa Rica: Credentials from the Minister for Foreign Affairs and Worship of Costa Rica, signed on 10 December 2007, stating that Jorge Urbina has been appointed representative of Costa Rica on the Security Council, Saúl Weisleder, deputy representative, and Jorge Ballestero, Marcela Calderón, Marcela Zamora, Alejandra Solano, Ana Patricia Villalobos, Magda Rojas, Manuela Ureña, Randall González and Melissa Umaña, alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Croatia: Credentials from the Minister for Foreign Affairs of Croatia, signed on 17 December 2007, stating that Mirjana Mladineo has been appointed representative of Croatia on the Security Council and Amir Muharemi, Jasminka Dinić, Irena Čačić and Kristina Lahovski, alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

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Libyan Arab Jamahiriya: Credentials from the Secretary of the General People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya, signed on 1 November 2007, stating that Giadalla Azuz Ettalhi has been appointed representative of the Libyan Arab Jamahiriya on the Security Council, Abdelrazag Al Murtadi Gouider and Ibrahim Omar Dabbashi, deputy representatives, and Attia Omar Mubarak, Mohamed Al Mabrok Alahraf, Mohamed Fakhri Elkrekshi and Abdurrahman Elgannas, alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Viet Nam: Credentials from the President of the Socialist Republic of Viet Nam and the Deputy Prime Minister and Minister for Foreign Affairs of Viet Nam, signed on 4 December 2007, stating that Le Luong Minh has been appointed representative of Viet Nam on the Security Council, Hoang Chi Trung and Bui The Giang, deputy representatives, and Nguyen Thi Thanh Ha and Dang Hoang Giang, alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

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Security Council

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Letter dated 19 December 2007 from the Acting Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia (see annex), which covers the Committee's activities during the period 1 January to 31 December 2007. The report is submitted in accordance with the note by the President of the Security Council dated 29 March 1995 (S/1995/234).

(*Signed*) Leslie K. **Christian**
Acting Chairman
Security Council Committee established pursuant
to resolution 751 (1992) concerning Somalia

07-65844 (E) 020108

Annex

Annual report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia covers the period from 1 January to 31 December 2007.

2. For 2007, the bureau consisted of Dumisani S. Kumalo (South Africa) as Chairman, with the delegations of Ghana and Slovakia providing the Vice-Chairmen.

3. During the reporting period, the Committee held six informal meetings.

II. Background

4. By resolution 733 (1992), the Security Council imposed a general and complete arms embargo on Somalia, and by resolution 751 (1992) established a Committee to oversee the implementation of the embargo. Subsequently, in resolutions 1356 (2001), 1425 (2002), 1744 (2007) and 1772 (2007), the Council outlined certain exemptions to the embargo and further elaborated the scope of the measures.

5. During the reporting period, by resolution 1766 (2007) of 23 July 2007, the Security Council requested the Secretary-General, in consultation with the Committee, to re-establish, for a period of six months, the Monitoring Group on Somalia referred to in paragraph 3 of resolution 1558 (2004). The re-established Monitoring Group was mandated, inter alia, to: continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587 (2005) (i.e., investigate the implementation, and violations, of the arms embargo and make recommendations); continue to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generated revenues used to commit arms embargo violations; continue to investigate any means of transport, routes, seaports, airports and other facilities used in connection with arms embargo violations; continue refining and updating information on the draft list of those individuals and entities who violated the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and present such information to the Committee as and when the Committee deemed appropriate; continue making recommendations based on its investigations, and on the previous reports of the Panel of Experts and the Monitoring Group; work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo; assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo; provide the Council, through the Committee, with a midterm briefing within 90 days of its establishment; submit progress reports to the Committee on a monthly basis; and submit for the Security Council's

consideration, a final report covering all the tasks set out above, no later than 15 days prior to the termination of the mandate of the Monitoring Group.

6. By its resolution 1766 (2007), the Council requested the Committee, in consultation with the Monitoring Group and other United Nations entities, to consider the recommendations in the reports of the Monitoring Group dated 5 April and 16 October 2006 and 17 July 2007, and recommend to the Council ways to improve the implementation of and compliance with the arms embargo in response to continuing violations. By paragraph 13 of its resolution 1772 (2007), the Council emphasized the continued contribution made to Somalia's peace and security by the arms embargo, demanded that all Member States, particularly those in the region, fully comply with it, and reiterated its intention to consider urgently ways to strengthen its effectiveness. In this regard, the Council also requested the Committee to report to the Council on possible measures that might be taken and how they might be implemented, within 60 days from the adoption of the resolution.

III. Summary of the Committee's activities

7. On 13 March 2007, the Committee held informal consultations to consider a progress report of the Monitoring Group and decided to reiterate the invitations to the States mentioned in the report of the Monitoring Group dated 22 November 2006 (S/2006/913) to participate in a meeting of the Committee, and to schedule informal consultations accordingly. On 27 April 2007, the Committee received the midterm briefing of the Monitoring Group, re-established pursuant to resolution 1724 (2006), and on 10 June, the Chairman provided an account of the discussion to the Security Council, pursuant to paragraph 3 (h) of the same resolution.

8. In 2007 two States (Libyan Arab Jamahiriya and Saudi Arabia) provided written observations to the findings contained in the report of the Monitoring Group (S/2006/913). On 1 and 4 May 2007, the Committee held informal consultations with the representatives of the Republic of Djibouti, the Arab Republic of Egypt, Eritrea, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Saudi Arabia and the Syrian Arab Republic, in connection with the findings contained in the report of the Monitoring Group. As a result of the discussion, the Committee wrote to the Monitoring Group to request that, in preparing its final report, it take into account the information presented by delegations who attended the discussion and by those that provided written observations. The Committee also requested the Monitoring Group, in fulfilling its mandate according to relevant resolutions, to continue providing States with adequate time and opportunities to respond and verify the information collected by the Monitoring Group. In addition, the Committee wrote to the concerned States, encouraging them to cooperate with the Monitoring Group.

9. On 17 July 2007, the Committee received a presentation by the Monitoring Group on its final report (S/2007/436) and held a discussion on the recommendations contained therein. Pursuant to the request contained in paragraph 6 of resolution 1724 (2006), the Committee decided to take no further action with regard to the recommendations contained in previous reports of the Monitoring Group, dated 22 November 2006 (S/2006/913) and 4 May 2006 (S/2006/229), in light of the fundamental change of circumstances on the ground. On 11 September 2007, the Chairman of the Committee briefed the Council in informal

consultations, in connection with the Committee's consideration of the final report of the Monitoring Group (S/2007/436), as well as with its conclusions concerning the recommendations contained in the above-mentioned reports of the Monitoring Group.

10. On 5 October 2007, the Committee held informal consultations to discuss the Council's request, pursuant to paragraph 13 of resolution 1772 (2007), to make recommendations on measures the Council might adopt to strengthen the effectiveness of the arms embargo. The Committee decided that the Chairman would address a note verbale to all Member States recalling the Council's demand regarding the implementation of the arms embargo. On 24 October 2007, the Chairman reported to the Council, in informal consultations, that the Committee would continue its consideration of the important matter of possible measures to strengthen the effectiveness and the implementation of the arms embargo, drawing also as necessary on the technical advice of the Monitoring Group.

11. During the reporting period, the Monitoring Group continued to provide periodic informal reports on its activities and findings to the Committee.

12. During the reporting period, the Committee received two notifications in connection with exemptions regarding supplies of non-lethal military equipment, pursuant to paragraph 3 of resolution 1356 (2001).

IV. Conclusions and observations

13. In 2007 the Committee engaged in a direct dialogue with concerned States and continued its consideration of ways to strengthen full compliance with the arms embargo on Somalia. As in the past, the Committee continues to rely on the Monitoring Group for information on violations of the arms embargo, and on the cooperation of States and organizations towards its implementation.

United Nations S/2007/762

Security Council

Distr.: General
27 December 2007

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Letter dated 24 December 2007 from the Secretary-General to the President of the Security Council

Since its establishment on 15 April 1995, the United Nations Political Office for Somalia (UNPOS) has been assisting my efforts to advance the cause of peace and reconciliation in Somalia through contacts with Somali leaders, civic organizations and the States and organizations concerned. UNPOS has also monitored closely the situation in and relating to Somalia and assisted me in providing periodic briefings and written reports to the Security Council.

In my report of 18 February 2005 (S/2005/89), I informed the Security Council that the United Nations had been asked by the Transitional Federal Government, the countries of the region and the international donor community to take the lead in coordinating support to implement the agreements reached at the Somali National Reconciliation Conference and establish peace and stability in Somalia.

The Security Council, in its resolution 1772 (2007), requested me to intensify my efforts to promote an all-inclusive political process, in close partnership with the African Union, the League of Arab States, the Intergovernmental Authority on Development, the European Union and the International Contact Group on Somalia. In addition, the Council requested me to provide it with an assessment of further measures to strengthen UNPOS to fulfil its enhanced role, including the possibility of relocation from Nairobi to Mogadishu and any security measures that might be necessary for such a move. In this regard, UNPOS is preparing a revised budget which will be finalized in the first quarter of 2008.

In my letter dated 27 August 2007 to the President of the Security Council (S/2007/522) on strengthening the capacity of UNPOS, I informed Council members of my intention to upgrade the post of Head of that Office to the level of Under-Secretary-General. In a subsequent letter dated 20 September 2007 (S/2007/566), I recommended that UNPOS be provided with the necessary resources to implement an integrated United Nations approach for Somalia leading to a common United Nations peacebuilding strategy.

During 2008, the main objectives of UNPOS will be to help to strengthen the Transitional Federal Institutions and foster inclusive dialogue between all Somali parties; coordinate United Nations political, security, electoral, humanitarian and development support to the Somali Transitional Federal Institutions; and work with external partners. UNPOS will support the development of a road map for the Somali peace process in concert with the Transitional Federal Government, the United Nations country team and the international community. UNPOS will also

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work closely with United Nations Headquarters on contingency planning for a possible United Nations peacekeeping mission.

Given the crucial role of UNPOS during this critical juncture of the Somali peace process, it is my intention to continue these activities for the biennium 2008-2009.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

United Nations S/2007/763

Security Council

Distr.: General
27 December 2007

Original: English

Letter dated 27 December 2007 from the President of the Security Council to the Secretary-General

I have the honour to inform you that your letter dated 24 December 2007 (S/2007/762) concerning your intention to continue the activities of the United Nations Political Office for Somalia (UNPOS) for the biennium 2008-2009 has been brought to the attention of the members of the Security Council. They take note of the information and intention expressed in your letter.

(*Signed*) Marcello **Spatafora**
President of the Security Council

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United Nations S/2007/764

Security Council

Distr.: General
31 December 2007

Original: English

Letter dated 31 December 2007 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire, containing an account of the Committee's activities from 1 January to 31 December 2007 (see annex). The report, which was adopted by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

In this connection, I would appreciate it if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Johan C. **Verbeke**
Chairman
Security Council Committee established pursuant to
resolution 1572 (2004) concerning Côte d'Ivoire

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Annex

Report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire covers the period from 1 January to 31 December 2007.

2. For 2007, the Committee's Bureau consisted of Johan Verbeke (Belgium) as Chairman, and the delegations of South Africa and Italy as Vice-Chairmen.

II. Background

3. By its resolution 1572 (2004) of 15 November 2004, the Security Council imposed an arms embargo, with immediate effect, as well as travel restrictions and an assets freeze on designated individuals and entities, to take effect on 15 December 2004.

4. By paragraph 14 of resolution 1572 (2004), the Council established a Sanctions Committee to: (a) designate and make public a list of individuals and entities subject to the targeted measures; (b) seek information from States and entities on their implementation of the measures; (c) consider and decide upon requests for exemptions to the arms embargo and other targeted measures; (d) promulgate guidelines for the conduct of the Committee's work; and (e) report to the Council regularly on its work, with observations and recommendations on ways to strengthen the effectiveness of the measures.

5. By its resolution 1584 (2005) of 1 February 2005, the Security Council authorized the United Nations Operation in Côte d'Ivoire (UNOCI) and the supporting French forces to monitor the arms embargo imposed by the Council in resolution 1572 (2004), which required all countries to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire of arms or any related materiel.

6. Also by resolution 1584 (2005), the Security Council requested the Secretary-General, in consultation with the Committee, to set up a group of experts to, inter alia, examine the information gathered by UNOCI and the French forces in the context of the monitoring mandate of the Committee; gather and analyse all relevant information in Côte d'Ivoire, countries of the region and, as necessary, in other countries, on violations of the arms embargo; and to consider and recommend ways of improving the capabilities of States, in particular those in the region, to ensure the effective implementation of the measures imposed. On 23 September 2005, the Group of Experts submitted its report (see S/2005/699) to the Committee, and on 18 October 2005, by resolution 1632 (2005), the Council extended the Group's mandate until 15 December 2005, pursuant to which, on 29 November 2005, the Group submitted its update report (see S/2006/204) to the Committee.

7. By its resolution 1643 (2005) of 15 December 2005, the Security Council renewed the arms embargo as well as the travel ban and the assets freeze imposed in paragraphs 9 and 11, respectively, of resolution 1572 (2004). Pursuant to

paragraph 6 of resolution 1643 (2005), the Council imposed an embargo on the import of all rough diamonds from Côte d'Ivoire, and in paragraph 9 of the same resolution, requested the Secretary-General to establish an expanded group of experts for six months with the additional task of monitoring the embargo on diamonds. The Group of Experts submitted its report to the Committee on 16 August 2006 (see S/2006/735, annex).

8. By paragraph 4 of resolution 1643 (2005), the Council decided that any obstacle to the freedom of movement of UNOCI and of the French forces, or any attack or obstruction to the action of UNOCI, the French forces, the High Representative for the elections and the International Working Group, constituted a threat to the peace and national reconciliation process for purposes of the measures imposed by the Council in paragraphs 9 and 11 of resolution 1572 (2004).

9. On 14 September 2006, by resolution 1708 (2006), the Council extended the mandate of the Group of Experts until 15 December 2006 and requested the Group to submit an update report on the implementation of the measures imposed by the Council in paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005), with recommendations in that regard. The Group of Experts submitted its update report to the Committee on 27 November 2006 (see S/2006/964).

10. On 15 December 2006, by resolution 1727 (2006), the Council renewed until 31 October 2007 the arms embargo, the travel and financial sanctions as well as the embargo on the import of all rough diamonds originating in Côte d'Ivoire. By paragraph 7 of the same resolution, the Council decided to extend the mandate of the Group of Experts for a further six months. The Group was requested to report to the Security Council in writing, through the Committee, before 15 June 2007, on the implementation of the measures imposed by the Council in paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005). The Group of Experts submitted its report to the Committee on 11 June 2007 (see S/2007/349).

11. On 20 June 2007, by resolution 1761 (2007), the Council decided to extend the mandate of the Group of Experts, as set out in resolution 1727 (2006), until 31 October 2007. By paragraph 2 of the same resolution, the Council requested the Group to submit a written update to the Sanctions Committee before 15 October 2007 on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005). The Group of Experts submitted its report to the Committee on 21 September 2007 (see S/2007/611).

12. On 29 October 2007, by resolution 1782 (2007), the Security Council renewed until 31 October 2008 the measures contained in paragraphs 7 to 12 of resolution 1572 (2004) and in paragraph 6 of resolution 1643 (2005). By paragraph 8 of the same resolution, the Council decided to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 31 October 2008. The Council requested the Group to provide a midterm report to the Committee by 15 April 2008 and to submit a final written report to the Security Council through the Committee 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), as well as recommendations in that regard.

III. Summary of the activities of the Committee

13. In 2007, the Committee held 10 informal consultations (30 January, 9 March, 13 March, 11 April, 18 May, 11 June, 25 July, 12 September, 17 October and 12 December).

14. During its informal consultations on 30 January 2007, the Committee commenced the process of revising the guidelines for the conduct of its work in accordance with paragraph 2 of resolution 1730 (2006), by which the Security Council directed the sanctions committees to revise their guidelines in the light of the focal point process. During its informal consultations of 9 March and 11 April 2007, respectively, the Committee discussed a first and a second draft of the revised guidelines for the conduct of its work. On 20 April 2007, the Committee formally adopted its revised guidelines. On 30 April 2007, the Committee transmitted its revised guidelines to all Member States in a note verbale, and on 1 May 2007 it issued a press release concerning the adoption of its revised guidelines (SC/9012).

15. At its informal consultations held on 18 May 2007, the Committee received a briefing from the Assistant Secretary-General for Peacekeeping Operations, Hédi Annabi, on issues related to sanctions that were discussed during a multidisciplinary Technical Assessment Mission to Côte d'Ivoire, which took place from 10 to 22 April 2007. The Mission was dispatched following the signing on 4 March 2007 of the Ouagadougou Political Agreement (S/2007/144, annex). During the same meeting, the Committee also discussed aspects relevant to its work contained in the report of the Informal Working Group of the Security Council on General Issues of Sanctions (see S/2006/997, annex), pursuant to a request by the Security Council in resolution 1732 (2006). The Committee duly took note of the best practices and methods contained in the Working Group's report.

16. On 11 June 2007, the Group of Experts on Côte d'Ivoire submitted its report (see S/2007/349) to the members of the Committee. Subsequently, Committee members discussed the observations and recommendations contained in the report. On 13 June 2007, the Chairman briefed the members of the Security Council on the main findings contained in the report and on the Committee's discussions of the Group's report and its recommendations. On 6 July 2007, the Committee dispatched letters to the Permanent Representatives of Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Liberia, Mali, Sierra Leone and Togo to the United Nations, the heads of four quasi-fiscal agencies in the coffee and cocoa sectors in Côte d'Ivoire, the Officer-in-Charge of UNOCI and the Chairman of the Kimberley Process, drawing attention to relevant paragraphs contained in the report of the Group of Experts (see S/2007/349).

17. During its informal consultations on 25 July 2007, the Committee noted the findings contained in the report of the Kimberley Process Review Mission to Ghana, which had taken place from 26 to 30 March 2007 and in which the diamond expert of the Group of Experts had participated. At the same meeting, the Chairman informed Committee members of his intention to announce future informal consultations of the Committee in the *Journal of the United Nations* and on the Committee's website (http://www.un.org/sc/committees/1572/index.shtml) in accordance with paragraph 47 of the annex to the note by the President of the Security Council on the Informal Working Group on Documentation and Other Procedural Questions (S/2006/507).

18. On 12 September 2007, the Committee considered a letter from the Coordinator of the Group of Experts and a monthly report from the Group covering the period from 23 July to 22 August 2007. In follow-up to the deliberations on those documents, on 11 October 2007 the Committee sent a letter to the Permanent Representative of Côte d'Ivoire to the United Nations stressing the importance of strengthened cooperation between the authorities of Côte d'Ivoire and the Group of Experts.

19. At its informal consultations held on 17 October 2007, the Committee received a briefing from the Group of Experts in connection with its report of 21 September 2007 (see S/2007/611) and discussed the observations and recommendations contained therein. On 25 October 2007, the Committee Chairman briefed the Security Council on the main findings contained in the report and gave an account of the Committee's deliberations on the observations and recommendations in the report. On 15 November 2007, the Committee transmitted letters to the Permanent Representatives of Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Liberia, Mali, Sierra Leone and Togo to the United Nations, the Under-Secretary-General for Peacekeeping Operations and the Chairman of the Kimberley Process, drawing attention to relevant paragraphs contained in the report of the Group of Experts (see S/2007/611).

20. During the reporting period, the Committee considered several monthly arms embargo and media monitoring reports, which are prepared by UNOCI in accordance with paragraphs 2 and 9 of resolution 1584 (2005) and paragraph 6 of resolution 1572 (2004). During its consultations on 9 March 2007, the Committee also considered the UNOCI human rights report for the period September to December 2006.

21. In 2007, the Committee received one report in accordance with paragraph 7 of resolution 1643 (2005) and five reports in accordance with paragraph 5 of resolution 1727 (2006) (see enclosure).

IV. Violations and alleged violations of the sanctions regime

22. In its report of 11 June 2007 (see S/2007/349), the Group of Experts on Côte d'Ivoire did not find evidence of major violations of the sanctions regime. However, the Group pointed to some possible violations of the arms embargo such as a shipment of military equipment for the National Police and the shipment of arms and related materials to private security and cash transport companies in Côte d'Ivoire. The Group also pointed to the continuation of the lack of surveillance at the ports of Abidjan and San Pedro, which made it likely that they would be used as points of entry for possible violations of the embargo on arms and related material. The Group also noted with concern the increasing number of cases of obstruction, particularly by the Defence and Security Forces of Côte d'Ivoire, of inspections carried out by the Group and the impartial forces since the signing of the Ouagadougou Political Agreement in March 2007.

23. Concerning the issue of possible foreign technical assistance, the Group requested a list of technicians involved in the maintenance on the Mi-24 helicopter of the Force aérienne de la Côte d'Ivoire (FACI), but was not able to obtain the document. However, the Group was able to verify the presence in Côte d'Ivoire of a Belarusian national whose status was that of technical adviser to the Ivorian

Ministry of Defence. His refusal to meet with the Group led it to believe that he might still be involved in providing technical assistance to the Ivorian Air Force.

24. During its field work in Côte d'Ivoire during the first half of 2007, the Group observed sustained and well-organized diamond mining activities in the north of the country, which led it to conclude that rough diamonds from Côte d'Ivoire continued to be smuggled to neighbouring States, from where they enter the international diamond market.

25. In its most recent report (see S/2007/611), the Group similarly reported that it had not detected any major violations of the arms embargo. However, it found that the equipment lists submitted to UNOCI by the Defence and Security Forces of Côte d'Ivoire and the Defence and Security Forces of the Forces nouvelles did not include all the equipment that was in their possession when the arms embargo was imposed. The Group of Experts also continued to encounter refusals of arms embargo inspections, especially by the units of the Republican Guard. It further observed that the disarmament, demobilization and reintegration process had not yet moved much beyond two symbolic ceremonies.

26. While visiting northern Côte d'Ivoire during the second half of 2007, the Group continued to observe a strong increase in diamond-mining activities. In that connection, the Group called upon the Ivorian authorities to take all appropriate measures to prevent the export of diamonds and to strengthen border inspections. The Group further called upon the authorities of all the States bordering Côte d'Ivoire to strengthen their internal controls over the production, certification and export of diamonds.

27. Also in its most recent report (see S/2007/611), the Group reported a violation of the assets freeze provisions contained in paragraph 11 of Security Council resolution 1572 (2004) in connection with royalties paid to Charles Blé Goudé by a State-owned publisher of a book written by Mr. Blé. The Group recommended that the Ivorian authorities freeze any funds representing royalties belonging to Mr. Blé, who is one of the three individuals included on the Committee's asset freeze and travel ban list (http://www.un.org/sc/committees/1572/AFTBlist.shtml).

V. Observations and conclusions

28. The primary responsibility for the implementation of the measures imposed by the Security Council rests with Member States. For its part, in facilitating and monitoring the implementation of the relevant measures, the Committee has greatly benefited from the information provided by the Group of Experts, UNOCI and other sources which has proven to be a useful tool in deciding upon appropriate actions. The Committee remains committed to discharging its mandate as effectively and as efficiently as possible.

Enclosure

Replies received in accordance with paragraph 7 of resolution 1643 (2005)

State	*Date of communication*	*Symbol*
Palau	15 October 2007	S/AC.45/2006/24

Replies received in accordance with paragraph 5 of resolution 1727 (2006)

State	*Date of communication*	*Symbol*
Brazil	14 February 2007	S/AC.45/2007/1
Netherlands	12 March 2007	S/AC.45/2007/2
United States of America	20 March 2007	S/AC.45/2007/3
Switzerland	8 March 2007	S/AC.45/2007/4
Guatemala	26 June 2007	S/AC.45/2007/5

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General Assembly
Sixty-second session
Agenda item 87
Report of the International Atomic Energy Agency

Security Council
Sixty-second year

Letter dated 12 December 2007 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to bring the following to your attention with regard to the United States National Intelligence Estimate (NIE) of November 2007, which clearly shows that the long-standing allegations of the United States of America against the nuclear programme of the Islamic Republic of Iran have been entirely groundless.

The NIE report, which has reversed some of its own previous conclusions — made in 2005 — against Iran's peaceful nuclear programme, attests to the fact that the very pretexts by which Iran's nuclear programme was referred to the Security Council have been, from the outset, flawed and unfounded. Moreover, the report has exposed the past attempts of the United States to distort intelligence to pursue its politically motivated ends with regard to Iran's peaceful nuclear programme. It also demonstrates that the United States has been engaged in a systematic and relentless fear-mongering campaign in relation to a so-called "nuclear weapons programme" of Iran, which has been simply an illusion and has never existed, in order to deliberately mislead the Security Council and push it to take unlawful actions against Iran. It is noteworthy that, in the wake of the said report, the Director General of the International Atomic Energy Agency (IAEA) stressed that Iran has been "vindicated in saying it has not been working on a weapons programme".

I wish to make it clear that the NIE report contains certain baseless allegations, including, among others, its fictitious supposition that Iran had been working on a so-called "nuclear weapons programme" before 2003, which are totally unfounded and which we categorically reject. Iran's nuclear programme has been, is and will remain absolutely peaceful. This position of Iran has also been confirmed by the IAEA reports, which have found no evidence or indication that any military nuclear programme has ever existed in our country. The IAEA has stressed on numerous occasions that "the Agency has not seen any diversion of nuclear materials to nuclear weapons or other nuclear explosive devices" in Iran. Such allegations of the

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NIE report have also been rejected by some permanent members of the Security Council in the past, and also in the aftermath of the release of the NIE report.

Numerous IAEA reports, particularly the most recent one, together with the said NIE report as well as various assertions and statements made by international figures and some members of the Security Council, all testify that Iran neither had any military nuclear programme in the past nor does it possess any such a programme at present. In view of all these assertions and reports, there has never been any justification for the involvement of the Security Council in this issue, and therefore, the measures taken by the Council thus far lack any legal basis.

As it has been time and again stressed by various Iranian officials, Iran's nuclear programme has been and remains under the full monitoring of IAEA. Iran has thus far taken various essential steps and has exercised a great deal of goodwill and indulgence in its cooperation with IAEA, and has taken important confidence-building measures which go even far beyond its treaty obligations. Iran will continue its constructive cooperation with the Agency as the sole competent body to deal with this issue. Iran's cooperation with IAEA according to the workplan concluded between the two sides in August 2007, is advancing in a positive, timely and satisfactory manner and, as a result, some of the most important outstanding issues have already been resolved and others are to be discussed with a view to their final resolution. All Iranian nuclear activities, including enrichment, are carried out according to the IAEA statute, the Nuclear Non-Proliferation Treaty and the comprehensive safeguards agreement, and are under the full and continuous monitoring of the Agency. Such a robust cooperation on the part of Iran has led to the Agency's constant conclusion that no indication of diversion has been seen in Iran's peaceful nuclear activities.

In light of the above, the time has come for the Security Council to put an end to its unlawful consideration of Iran's nuclear issue and to send the dossier back to its technical and competent forum, namely IAEA. The Council should allow the Agency to perform its functions free from any pressure.

Unquestionably, any further involvement by the Security Council in this regard will have no justification and will only complicate the situation and undermine the credibility and authority of IAEA.

I would appreciate if you could circulate the present letter as a document of the General Assembly, under agenda item 87, Report of the International Atomic Energy Agency, and of the Security Council.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative

United Nations A/ES-10/408–S/2007/766

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Security Council

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-second year

Identical letters dated 28 December 2007 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I regret to inform you that the situation in the Occupied Palestinian Territory, including East Jerusalem, continues to deteriorate as Israel, the occupying Power, persists with its military aggressions and human rights violations against the Palestinian people, causing more death and destruction, particularly in the Gaza Strip.

On Thursday, 20 December 2007, the second day of Eid Al-Adha, Israel occupying forces killed 10 Palestinians during an incursion into Al-Musaddar village in the central Gaza Strip. Several Palestinian civilians were injured, including women and children, and two journalists. Israeli occupying forces also razed over 70 donums of agricultural land and partially destroyed 10 houses. Continuing with its military campaign against the Palestinian civilian population in the Gaza Strip, Israel launched yesterday, 27 December 2007, several raids and air strikes in Abasan and in Al-Bureij refugee camp in central Gaza Strip and in Al-Maghraqa neighbourhood south-east of Gaza City that resulted in the killing of seven Palestinians and injuring several others. Israel also continued its incursions into Palestinian cities and towns in the West Bank arresting dozens of Palestinians, including a member of the Palestinian Legislative Council, two members of the Municipal Council of Nablus and three university professors. At dawn today, in Betonia, west of Ramallah in the West Bank, Israeli occupying forces shot and killed a bodyguard of Mr. Ahmad Qurei, Chief Palestinian negotiator. All these illegal Israeli actions are committed in flagrant violation of international law, humanitarian and human rights law, fueling the cycle of violence and seriously endangering the peace process for advancing negotiations on sensitive, final status issues.

Additionally, Israel, the occupying Power, continues its illegal, tightened and crippling siege of the Gaza Strip, where the humanitarian situation and the living conditions of the civilian population continue to worsen and further deteriorate.

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Israel also continues to impose severe restrictions on the movement of Palestinian civilians in the West Bank.

At the same time, Israel, the occupying Power, continues to pursue its illegal colonization campaign in the Occupied Palestinian Territory, particularly in and around occupied East Jerusalem by announcing its expanding plans to build new housing units in occupied East Jerusalem neighbourhood as well as in a nearby settlement, according to the Israeli Housing Ministry's proposed budget for 2008. The proposed budget includes funding for the construction of 500 housing units in Jabal Abu Ghneim area as well as 240 units in the nearby settlement of Ma'aleh Adumim. These illegal settlement activities constitute grave violations and breaches of United Nations resolutions, the Fourth Geneva Convention, the 9 July 2004 advisory opinion of the International Court of Justice and of Israel's obligations and commitments under the road map.

The international community, particularly the Security Council, must urgently uphold its responsibilities and undertake the necessary measures to bring an end to Israel's grave breaches and violations of international law, including humanitarian law, particularly the Fourth Geneva Convention, and human rights law. Failure to do so will only further embolden the occupying Power to continue committing violations and crimes against the Palestinian people with impunity, and threaten to sabotage the fragile peace process as a whole.

This letter is in follow-up to our previous 303 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 18 December 2007 (A/ES-10/407-S/2007/750), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

In follow-up to the above-mentioned letters, it is my deep regret to inform you that at least 22 more Palestinian civilians, including children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 4,839 (the names of the martyrs that have been identified are listed in the annex to the present letter).

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

Annex to the identical letters dated 28 December 2007 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (From Thursday, 20 December, to Friday, 28 December 2007)

Thursday, 20 December 2007

1. Waleed Hussain Kalloub
2. Jihad Moussa Jaber (19)
3. Ibrahim Aa'ed Abu Middain
4. Mahmoud Mahmoud Al-Mas'hal
5. Na'im Suleiman Al-Arrouqi
6. Hamza Salem Abu T'yoor
7. Khalil Bajes Al-Eissawi
8. Samer Helmi Abu Saif
9. Zaid Thabit (18)
10. Ahmad Abu Mohawish

Friday, 21 December 2007

11. Awad Naji

Sunday, 23 December 2007

12. Muin Al-Masri

Monday, 24 December 2007

13. 'Atallah Al-Awawda
14. Juma'a Abu Hujayer

Thursday, 27 December 2007

15. Mohammad Abdallah Abu Murshed
16. Hani Abu Eid
17. Haitham Abu Al-Alla
18. Mohammad Faraj Al-Masri
19. Mohammad Fawzi Abu Hasanain
20. Mohammad Ahmad Abu Hasanain
21. Matar Dohair

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 4,839.

Friday, 28 December 2007

22. Mu'tasem Sharif

United Nations A/62/626–S/2007/767

General Assembly
Security Council

Distr.: General
28 December 2007

Original: English

General Assembly
Sixty-second session
Agenda items 17, 18 and 108

Security Council
Sixty-second year

The situation in the Middle East

Question of Palestine

Measures to eliminate international terrorism

Identical letters dated 28 December 2007 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to inform you of details regarding today's fatal terrorist attack, carried out by Palestinian terrorists in the West Bank, which resulted in the murder of two Israeli citizens.

Earlier today, Palestinian terrorists shot at three Israelis, two men and one woman, who were hiking in the southern Hebron Hills in the West Bank. The terrorists opened fire on the hikers in a drive-by shooting, killing the two men. The woman, who managed to hide during the attack, was later treated for shock. The Islamic Jihad terrorist organization has claimed responsibility.

This terrorist attack is a harrowing reminder of the devastating impact of Palestinian terrorism on the daily lives of Israeli civilians. While Israel remains committed to taking all steps to advance the peace process — as demonstrated by our continuous meetings with the Palestinian Authority in an effort to build on the momentum of Annapolis and steward the way forward to serious negotiations — the Palestinian Authority has yet to demonstrate its will to combat terrorism and fulfil its obligations under the various agreements, including the road map. Terrorism remains the greatest obstacle to peace and security in our region, and the Palestinian leadership must end the violence and dismantle the terrorist infrastructure.

Furthermore, there are clear indications that Islamic Jihad, the perpetrators of today's attack, as well as other terrorist organizations in our region, are financed and given shelter by other Member States, in direct contravention of international law, in particular Security Council resolution 1373 (2001) and other relevant Council resolutions. State sponsorship of terrorism seriously undermines the stability and security of our region. Israel demands that all States refrain from supporting and assisting terrorist organizations. The international community must reaffirm in no

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uncertain terms its absolute intolerance for terrorism and the aiding of terrorist organizations.

I should be grateful if you would have the contents of the present letter circulated as a document of the sixty-second session of the General Assembly, under agenda items 17, "Situation in the Middle East", 18, "Question of Palestine", and 108, "Measures to eliminate international terrorism", and of the Security Council.

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative

United Nations S/2007/768

Security Council

Distr.: General
31 December 2007

Original: English

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested the Secretary-General to report at regular intervals on the implementation of the mandate. It covers the activities of UNMIK and developments in Kosovo (Serbia), from 1 September to 15 December 2007.

II. Kosovo future status process

2. During the reporting period, delegations from Pristina and Belgrade continued to attend talks on Kosovo's future status led by a "Troika" comprising representatives of the European Union, the Russian Federation and the United States of America. A final round of talks were held from 26 to 28 November, following which the Troika submitted its report to me on this period of further engagement between the sides, which I conveyed to the Security Council on 10 December (S/2007/723).

III. Political situation

3. On 17 November, elections were successfully held for: the Assembly of Kosovo; 30 municipal assemblies; and the new position of mayor for each of the 30 municipalities. The elections were organized under UNMIK's authority by Kosovo's Central Election Commission, in close cooperation with the Organization for Security and Cooperation in Europe (OSCE). Kosovo has now successfully held five sets of elections since UNMIK was established. The elections took place without incident following a generally fair and calm campaign period, and were confirmed by the Council of Europe to have been in compliance with international and European standards. The turnout for the elections was 42.8 per cent, lower than for the previous elections for the Assembly of Kosovo, which were held in 2004. This is in line with a trend of decreasing voter participation in Kosovo's elections in recent years.

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4. The results of the elections for the Kosovo Assembly were certified by my Special Representative, Joachim Rücker, on 5 December. Twenty-three mayoral contests went to a second round of voting, which was held on 8 December. Municipal-level results were certified by 19 December. The Democratic Party of Kosovo won the Assembly elections with 34.2 per cent of the vote. On 12 December, President Fatmir Sejdiu nominated the leader, Hashim Thaçi, to form a Government. Consultations between the Democratic Party of Kosovo and other parties began the same day, and are expected to include meetings with representatives of all minority communities. The first session of the new Assembly of Kosovo must be held within 30 days of the announcement of certified results, that is before 4 January 2008.

5. The participation of Kosovo Serbs was disappointingly very low, only slightly exceeding the turnout in the elections of 2004. Of the approximately 2,300 in-person votes received by Kosovo Serb political entities running for the Assembly, none were cast in the three northern municipalities of Leposaviq/Leposavić, Zveçan/Zvečan and Zubin Potok. The authorities in Belgrade called for a boycott of the elections, and this was supported in many areas in Kosovo by local Kosovo Serb officials who refused to allow school buildings to be used as polling stations, forcing UNMIK to provide mobile polling centres instead. There were also reports of intimidation of candidates and voters throughout the campaign. Several political entities representing established political parties in Serbia that had registered to run in the elections withdrew from the campaign, reportedly under pressure. The assessment of my Special Representative is that these incidents played a major part in ensuring a low Kosovo Serb voter turnout.

6. Most of the Kosovo Serbs who voted live south of the city of Mitrovica. This fact underscores the differences between the population of northern Kosovo, which is inhabited by a majority of Kosovo Serbs, who, to a large extent reject being administered by Pristina, and Kosovo Serbs in the rest of Kosovo, who recognize the need for practical ties with the Kosovo Albanian majority. Six of the eight Kosovo Serb political entities that participated in the elections gained the 10 seats reserved for parties representing Kosovo Serbs in the Assembly of Kosovo.

7. While it is expected that these parties will participate in the Assembly and in the new Government, within which two ministerial posts are reserved for Kosovo Serbs, it would be premature to see their participation as representative of a fundamental shift in the general opinion among the Kosovo Serbian community in favour of integration in Kosovo's Provisional Institutions of Self-Government. Given the low voter turnout, and in order to ensure the implementation of elections results in Kosovo Serb-majority municipalities in northern Kosovo and in mixed municipalities with significant numbers of Kosovo Serbs, my Special Representative has put in place a solution that will ensure equitable representation for all communities. In the three northern municipalities affected by the boycott, the current municipal assemblies will continue on a provisional basis for a period of six months. In the two affected southern municipalities, Kosovo Serb representatives will be appointed to municipal assemblies in line with the proportion of the local population that their community represents.

8. Throughout the election campaign, the members of the Kosovo Unity Team remained engaged in the Troika-led negotiations on Kosovo's future status. While the Unity Team continued to attend the Troika-led talks, its representatives

repeatedly stated that any further extension of talks would be unacceptable, stressing that a date for a declaration of independence for Kosovo, in coordination with the international community, should be quickly set after 10 December. This has raised further expectations in the Kosovo Albanian community that Kosovo will be independent in the near future. Public pressure on the new Government and Assembly to act swiftly to declare independence following the end of the period of engagement is high.

IV. Security

9. The overall security situation remained calm during the reporting period, with no major incidents. However, there were some notable incidents of an inter-ethnic nature, including shots fired at Kosovo Serb households and Molotov cocktails thrown at the Serbian Orthodox Church in Gjilan/Gnjilane. There were also incidents of criminal nature, including, most significantly, a bomb explosion in a restaurant in Pristina that killed two people and injured 11 others. During the run-up to elections, there were signs of tension. Two developments were of particular note: recurring protests demanding improved living conditions, and escalating rhetoric and propaganda by extremist groups.

10. Strikes and demonstrations protesting against poor living conditions, unemployment and education problems increased significantly in October and November. In one of the largest such demonstrations, held on 7 November, approximately 250 to 300 persons staged a peaceful protest outside the headquarters of the Kosovo Trust Agency in Pristina demanding unpaid wages and an immediate distribution to the employees of a share of the proceeds of privatizations carried out by the Agency. Other minor incidents, such as an act of vandalism against the offices of a political party in Prizren and several cases of bomb hoaxes which disrupted political rallies, occurred during the electoral campaign. However, political rallies during the electoral campaign were relatively small in size and were conducted peacefully. This was an indication that the electoral process, at least in part, absorbed frustration among Kosovo's population with socio-economic and political problems. Efforts by the Kosovo Albanian self-determination movement "Vetëvendosje" and other self-determination groups to galvanize public support against elections and against any negotiations with Belgrade yielded minimal results. Four hundred demonstrators participated in a march for independence and against the partition of Kosovo in Pristina on 10 October. Radical groups, such as the Albanian National Army, also called for a boycott of the negotiations. However, these calls had a negligible effect on the conduct of the elections, as well as on the results. Nevertheless, they succeeded in creating a tense atmosphere before election day, with members of both the Kosovo Albanian and Kosovo Serb communities fearing possible violent action by extremists.

11. Both Serb and Albanian illegal extremist groups, which had gained some notoriety during the previous reporting period, continued to engage in carefully orchestrated propaganda. Alleged members of the Serbian Tsar Lazar Guard and the Albanian National Army made several media appearances, purportedly featuring interviews with alleged commanders. The Albania National Army claimed that it was "patrolling" in the north of Kosovo in support of the Kosovo Force (KFOR) to "defend" it from regular and extremist Serbian forces. A banned public gathering of Tsar Lazar Guard members in Mitrovica was prevented on 14 October by UNMIK

and Serbian police, which barred a group of supporters from entering Kosovo. Even though these groups do not represent an immediate threat to security, their rhetoric calling for violence and their paramilitary appearance are cause for concern in all communities in Kosovo.

V. Rule of law

12. During the reporting period, there were significant developments in several important cases. Following the escape of seven inmates from Dubrava prison on 18 August, three of the escapees were arrested, two were killed in separate incidents in the former Yugoslav Republic of Macedonia, and two remain at large. An independent commission established to investigate the events leading up to the escape completed its preliminary inquiries, which will be incorporated into a report on the incident and made available in due course.

13. The trial of the leader of the "Vetëvendosje" self-determination movement, who is accused of organizing the 10 February demonstrations in Pristina, during which two protesters were killed and several more seriously injured, is scheduled to continue. On 19 December he was released from house detention and is expected to appear at the next trial session on 30 January 2008. Trials also continued in cases relating to the riots of March 2004. International prosecutors have thus far secured 15 convictions, while local prosecutors have secured 145. The newly established Kosovo Special Prosecutor's Office has secured convictions in two cases related to drugs and weapons, highlighting positive progress in capacity-building for local courts.

14. The UNMIK Department of Justice continued to work closely with the Ministry of Justice to ensure that civil service rules are followed and that priority areas such as witness protection and the Kosovo Special Prosecutor's Office continue to be developed. The Legal Aid Commission of Kosovo was officially inaugurated by a representative from the Prime Minister's office on 26 September, with the formal nomination of the Legal Aid Commissioner and eight Deputy Legal Aid Commissioners.

VI. Standards and European integration

15. There was steady progress in all substantive areas of standards implementation, as reflected in the technical assessment annexed to the present report (see annex I). The new draft European Partnership for Kosovo has recently been published by the European Commission and will be finalized in early 2008. The new Partnership will be accompanied by a new European Partnership action plan, which the Government will prepare by the end of April 2008. The Agency for European Integration within the Office of the Prime Minister has formulated proposals to reform reporting, implementation and coordination mechanisms in relation to integration within the European Union. The lead role of the Agency ensures full local ownership of the process and marks the successful merger of the standards process with the European integration process, which will continue to guide Kosovo.

16. The European Commission presented the 2007 progress report on Kosovo at a meeting of the Stabilization and Association Process Tracking Mechanism on

7 November. The report referred to the European Union enlargement strategy, which stressed the need to reach a status settlement for Kosovo without further delay in order to permit Kosovo's political and economic development and ensure regional stability. The report, published in the context of the enlargement package and representing an important instrument guiding Kosovo's reforms, provided a detailed overview on progress made by, as well as remaining challenges faced by, the Provisional Institutions in key political and economic fields.

VII. Economy

17. Kosovo's medium-term expenditure framework for 2008-2010 was adopted by the Government in September. The document outlines the macroeconomic framework and sector spending strategies for the Provisional Institutions in the medium-term and incorporates the recommendations of international financial institutions and major donors, such as the World Bank, the International Monetary Fund (IMF) and the European Commission. The framework is based on the Government's overarching objective, which is to achieve rapid, sustainable economic growth for the benefit of the people of Kosovo. It also reflects the Government's policy framework, which consists of several key areas that support economic development and encourage private investment. Priority sectors for public expenditure over the next few years are rule of law, energy, transport and education. In addition, within the framework, the Government foresees a targeted increase of public spending for specific social categories.

18. Thirty waves of privatization have been launched by the Kosovo Trust Agency to date, with 545 new companies derived from the sale of assets of 312 socially owned enterprises. The findings of a survey conducted by the European Agency for Reconstruction of a sample of 55 privatized manufacturing companies throughout Kosovo were encouraging. The survey found that the number of jobs created since the privatization of these companies had increased by 23 per cent, and that monthly sale revenues also showed an increase, of 26 per cent. The survey revealed that 6 per cent of all employees in the sampled companies came from minority communities and 20 per cent were women. However, weaknesses were evident in these companies, especially concerning management, planning, and knowledge of relevant market dynamics.

19. Through UNMIK, Kosovo continues to participate actively in the Central European Free Trade Agreement, the Energy Community and the South East Europe Transport Observatory. However, Serbia continues to block the integration of the Kosovo Transmission System Operator into the inter-Transmission System Operator compensation mechanism being set up under the umbrella of the South-Eastern European Energy Community. As a result, the Kosovo Transmission System Operator is not being compensated for energy transits through its network (the Serbian Transmission System Operator is receiving the funds), preventing it from adequately maintaining and upgrading the network.

VIII. Governance

20. On 16 October, UNMIK issued a regulation establishing the post of mayor and the direct elections of mayors by the inhabitants of each of Kosovo's municipalities.

The number of municipalities, their competencies and the strength of municipal assemblies remained unchanged. The role of UNMIK's municipal representatives was also amended ex post facto to take into account the transfer of much of their earlier responsibilities in the field of finance and personnel management to local authorities.

21. Kosovo's Ministry of Health undertook measures to develop and streamline the managerial structure of the health-care system by abolishing regional offices and appointing the Executive Director of the University Clinical Centre of Kosovo. All secondary and tertiary institutions have thus been placed under the authority of the Ministry.

22. The Ministry of Environment and Spatial Planning, in cooperation with other concerned ministries and international agencies, began to address the issue of toxic and/or radioactive materials currently present in Kosovo. In Kosovo, there are 113 sites containing highly toxic and/or radioactive materials; of these, 10 require particular attention and constant monitoring.

IX. Decentralization

23. The Kosovo Government extended the mandate of the three pilot municipal units of Mamushe/Mamuša/Mamuşa, Junik and Djeneral Janković/Hani i Hotit in their current form until an eventual determination of Kosovo's status. The pilot municipal units prepared and submitted their budget proposals for 2008 to the Ministry of Finance and Economy and additional civil servants are being recruited. The Ministry of Local Government Administration is finalizing new draft laws on local self-government and on local elections, as well as on municipal boundaries and municipal incomes.

X. Cultural and religious heritage

24. The Reconstruction Implementation Commission moved ahead with works on nine Serb Orthodox Church cultural heritage sites. However, work on one church in Gjakovë/Djakovica was interrupted when municipal authorities claimed that proper licences had not been issued and workers on site were threatened by armed men. A total of 18 incidents involving religious sites were reported, of which only two were considered to be serious. In response, the Kosovo Police Service has increased surveillance of religious sites in all regions and, on 16 November, the Kosovo Government approved the allocation of €50,000 for additional security measures at the most vulnerable churches.

XI. Returns

25. The number of minority returns to Kosovo continues to remain disappointingly low, although some marginal improvements have occurred. More internally displaced persons returned to Kosovo between January and November 2007 than during the corresponding period last year. The United Nations High Commissioner for Refugees (UNHCR) estimates that, as of 30 November, 1,561 minority community members had returned in 2007, with the highest number of returns in the

regions of Mitrovicë/Mitrovica and Gjilan/Gnjilane. The total number of minority returnees since 2000 is estimated at 17,697. Ten community development and stabilization projects to facilitate equitable integration of all communities and their members currently residing in Kosovo were completed, and another 40 are at various stages of implementation. From September to October, 110 individuals returned to the Roma Mahala district in Mitrovica, increasing the total to 436 individuals (92 families) who have returned there this year. Three returns projects, worth €1.95 million, were completed, leading to the return of 20 Kosovo Serb and Roma, Ashkali and Egyptian families to Lipjan/Lipljan in October, 20 Kosovo Ashkali, Circassian, Turkish and Albanian families to Vushtrri/Vučitrn in November and another 30 Kosovo Serb families to Lismir/Dobri Dub and Nakaradë/Nakarade (Fushë Kosovë/Kosovo Polje) in December.

26. Through a capacity-building project of the Ministry of Communities and Returns, managed by the European Agency for Reconstruction, severe shortcomings in the Ministry's internal financial management were uncovered. It was stressed that, without addressing these shortcomings, it would be difficult for the Ministry to make any further progress. The senior management of the Ministry is establishing strict financial controls with the assistance of a project team implementing the recommendations of an audit conducted earlier this year.

27. In a major step towards the creation of a comprehensive repatriation-related policy and operational framework, the Government approved a readmission policy, including operational procedures and a reintegration strategy to manage and support forced returnees or persons repatriated to Kosovo from host countries. This policy and the relevant procedures will facilitate smooth handover of readmission functions from UNMIK to the Ministry of Internal Affairs.

XII. Future international arrangements and transition

28. Discussions with international and local partners on preparations for a possible transition to future arrangements in Kosovo continued within the framework of existing transition working group structure, without prejudging the outcome of the future status process.

XIII. Observations

29. I welcome and am encouraged by the fact that the recent elections in Kosovo were conducted in a free and fair manner and in accordance with international standards. The successful holding of peaceful elections, which were organized within a shortened time frame and followed a campaign during which candidates acted in a respectful and restrained manner, was an indication of the maturity of Kosovo's Provisional Institutions. It is important that this is followed by the smooth formation of a new multi-ethnic coalition Government.

30. The low participation of Kosovo Serbs in the elections was regrettable. The elections highlighted, once again, that many members of the Kosovo Serb community, particularly those living in northern Kosovo, do not feel represented by Kosovo's Provisional Institutions. They continue, instead, to depend on parallel

structures for the provision of basic services, which are supported by the authorities in Belgrade.

31. Political representatives of the Kosovo Serb community, as well as the Belgrade authorities, need to encourage Kosovo Serbs to participate constructively and actively in Kosovo's institutional life. At the same time, Kosovo's Government and political leaders should continue to reach out to the Kosovo Serb and other minority communities.

32. I commend the Troika for its extensive efforts to facilitate intense and substantive discussions between Belgrade and Pristina on the status of Kosovo. With the presentation of its report on this four-month period of further negotiations, the Troika completed its mandate. Regrettably, substantial differences still remain between the parties.

33. Expectations in Kosovo remain high that a solution to Kosovo's future status must be found rapidly. As such the status quo is not likely to be sustainable. Should the impasse continue, events on the ground could take on a momentum of their own, putting at serious risk the achievements and legacy of the United Nations in Kosovo. Moving forward with a process to determine Kosovo's future status should remain a high priority for the Security Council and for the international community.

34. Uncertainty and a loss of forward dynamic in the future status process could create a risk of instability, both in Kosovo and in the wider region; as well as a potential risk to the safety of United Nations staff. The parties are urged to reaffirm and act upon their declared commitments to refrain from any actions or statements that could endanger peace, incite violence or jeopardize security in Kosovo and the region.

35. The United Nations, with the support of relevant international organizations, is committed to assisting Kosovo in the path towards sustainable stability. In this regard, I note the readiness of the European Union to play an enhanced role in Kosovo, as reflected in the conclusions of the European Council on 14 December. The European Union's growing institutional commitment to Kosovo is important, as is its continuing provision of a European perspective to Kosovo. The steady progress by Kosovo's Provisional Institutions in the implementation of standards is encouraging and should be further accelerated. The incorporation of the standards implementation process into the broader European integration process for Kosovo is also a welcome development. The continuous engagement of OSCE in Kosovo, in particular in ensuring the protection of minorities and respect for human rights, is also of critical importance.

36. I acknowledge the commitment of the North Atlantic Treaty Organization (NATO), expressed at the ministerial meeting on 7 December, that KFOR shall remain in Kosovo, that national force contributions, including reserves, will be maintained at current levels and with no new caveats and that NATO will respond resolutely to attempts to endanger the safety of any of the inhabitants of Kosovo.

37. My appreciation and gratitude go to my Special Representative, Joachim Rücker, and to the staff of UNMIK for their steadfast efforts and commitment to move Kosovo forward. I would also like to extend my thanks to the United Nations partners, KFOR, the European Union and OSCE, and to the United Nations agencies, funds and programmes and other contributors for their valuable support.

Annex I

Technical assessment of progress in the implementation of the standards for Kosovo

Prepared by the Special Representative of the Secretary-General for Kosovo, 30 November 2007

1. The elections and the status discussions were the main focus of the reporting period. Standards implementation within the framework of the European Partnership for Kosovo also continued, with the Agency for European Integration leading the process.

2. The new draft European Partnership for Kosovo, published by the European Commission on 6 November, will be finalized in early 2008. The Kosovo Government is planning to prepare a new European Partnership action plan by the end of April 2008. The action plan will become the next guiding document for standards implementation.

Functioning democratic institutions

3. The Council of Europe determined that Kosovo's elections were free and fair. The Central Election Commission certified 96 political entities (including 33 representing the Kosovo Serb community) out of 101 that applied. The process was conducted in an efficient and professional manner with the majority of political entities complying with the established rules and regulations. However, 17 out of the 33 Kosovo Serb entities asked to withdraw from the process before election day. In addition, 25,984 international and domestic observers were accredited.

4. Forty-two campaign financial disclosure reports were submitted. Political entities are subject to fines if they fail to submit such reports.

5. The participation of Kosovo Serbs in the election was very low and only slightly higher than it was in 2004. Of 107 planned polling centres, 54, including some mobile centres, were opened in Kosovo Serb areas. Following calls for a boycott of the elections by Belgrade authorities, school principals prevented their premises from being opened for polling stations.

6. An independent Elections Complaint and Appeals Commission was established in September by the Department of Justice to hear complaints and appeals related to the elections. The Commission is composed of five commissioners, two international judges and three local judges. It has received over 200 complaints and appeals since its establishment, of which over 140 have already been adjudicated.

7. According to the latest Government statistics, the Kosovo Civil Service stands at 73,268, with 31,990 at the central level. Minorities constitute 10.5 per cent at the central level and 12 per cent at the municipal level. Following Belgrade's call for Kosovo Serbs to choose between the Serbian and Kosovo payroll, most Kosovo Serb civil servants left the Kosovo payroll. Four hundred and sixty-two have since been reinstated at their own request and have received their accumulated salaries, which had been held in trust by the Provisional Institutions.

8. The Assembly of Kosovo adopted the Law on Rights and Responsibilities of Deputies, which includes provisions inconsistent with the constitutional framework. The Law on Personal Name and the Law on Personal Number were not promulgated because they violate Security Council resolution 1244 (1999).

9. Government data shows that women hold 35.7 per cent of overall civil service posts, but only 14.2 per cent at the decision-making level.

10. The Government finally allocated outstanding funds from the 2007 budget to the Anti-Corruption Agency. This enabled the Agency to launch recruitment of 20 staff. The implementation of the anti-corruption action plan is behind schedule in the areas of administrative, police and judiciary reform.

11. Following interviews that took place in October 2007, the Kosovo Assembly Commission short-listed three candidates for the position of Ombudsperson. However the process was annulled due to unsatisfactory selection procedures and the choice of candidates.

12. Mechanisms to ensure and monitor the implementation of the Law on the Use of Languages are in place. However, inadequate participation and representation of all linguistic communities in the Language Commission remain a concern. Seven out of nine administrative instructions required to implement the Law on the Use of Languages have been adopted.

13. A majority of municipalities have language units or translators, but the overall numbers recruited are too low and their competency insufficient. Official documents are made available in Serbian, but with some delays and inaccuracies. Language compliance remains minimal in northern municipalities (Zvečan/Zveçan, Zubin Potok, Leposavić/Leposaviq).

14. A previously licensed Roma-speaking radio started broadcasting in Prizren on 9 November. Out of 116 licensed broadcasters, 45 broadcast in minority languages.

15. Radio Television of Kosovo (RTK) covers 75 per cent of Kosovo with its terrestrial signal but its satellite programming, which transmits all minority language programmes, is available throughout Kosovo. Following the August 2007 announcement terminating the contract governing the collection of the Public Broadcasting Fee by the Kosovo Energy Corporation on behalf of RTK, the two companies have started discussing a limited extension of the fee collection.

16. After successful mediation efforts of the Organization for Security and Cooperation in Europe (OSCE), the Press Council of Kosovo convened its Board meeting in November 2007 marking its recovery from the June crisis.

Challenges ahead

17. The Assembly of Kosovo should review the Ombudsperson institution's last annual report, issued in July 2007, and take a more active role in implementation of its recommendations. A careful review of the selection process for a new Ombudsperson should be carried out.

18. All necessary administrative instructions concerning the use of languages need to be adopted and a public awareness campaign initiated. The Language Commission should be representative of all linguistic communities.

19. Publication of the Official Gazette remains inadequate. Detailed planning is needed to redress the backlog of unpublished legislation. Amendments promulgated by UNMIK should be fully incorporated in legal texts in their original version.

20. Despite the declaration of 2007 as the year of "Affirmative Action for the advancement of women in the Provisional Institutions of Self-Government", no measurable progress has been recorded to achieve gender equality in public administration. Much remains to be done to strengthen the organization and operation of gender equality structures both at the central and municipal levels. There is a great need to raise the level of public awareness of women's rights throughout Kosovo.

21. Preparations to transform the Internal Oversight Board into an autonomous body reporting directly to the Assembly of Kosovo must continue. Prompt implementation of the recommendations of the Board need to be ensured. The Senior Public Appointments Commission should resist the politicization of the senior levels of the civil service and continue providing checks on the process.

22. Radio Television of Kosovo needs a sustainable funding system. The second round of awarding grants to minority and vulnerable media is pending. Radio Television of Kosovo should ensure the prompt transfer of the 5 per cent fee for the Media Minority Fund.

Rule of law

23. Crime clearance rates remained comparable for all communities.

24. The Legal Aid Commission of Kosovo, an independent body responsible for the provision of free-of-charge legal assistance, was officially inaugurated on 26 September. Three minority staff were recently recruited with the aim of achieving 25 per cent minority representation.

25. On 8 November, two Kosovo Albanians were convicted for their criminal conduct during the March 2004 riots in Obiliq/Obilić. This conviction raised the number of defendants convicted in relation to the March 2004 riots to 30 in 15 cases handled by international prosecutors. Twelve defendants received prison sentences, 18 received suspended sentences and one defendant was acquitted. Of those convicted, five appeal cases involving 12 defendants have been announced or have started. The verdicts against the remaining 19 defendants are final. A further five defendants in one case are awaiting trial. Local prosecutors have brought over 300 criminal charges resulting in 145 convictions. Several more cases are under investigation.

26. The Kosovo Special Prosecutors Office concluded its first case on the offence of unauthorized purchase, possession, distribution and sale of dangerous narcotic drugs on 17 September, with a guilty verdict. An indictment was also confirmed in another case being handled by the Office, charging five persons with aggravated attempted murder and weapons offence following the shooting of the head of the Telecommunications Regulatory Agency and others.

27. Recent indictments for violation of the anti-money-laundering regulation recently occurred. Kosovo has made progress in establishing an anti-money-laundering/combating the financing of terrorism regime and is taking steps to

streamline the wide range of actors involved. The capacity of the Kosovo Police Service to investigate money-laundering cases has improved.

28. Minority representation of judges and prosecutors is 11.2 per cent (5 per cent Kosovo Serb) and 9.1 per cent (3.4 per cent Kosovo Serb), respectively. Female representation is 26.7 per cent for judges and 20.5 per cent for prosecutors. Minority representation of court staff is 11.8 per cent (8.1 per cent Kosovo Serb) and female representation is 42 per cent.

29. Minority representation within the Kosovo Police Service remained constant at 14.3 per cent (9.5 per cent Kosovo Serb) and within the Kosovo Correctional Service at 14.2 per cent (10.3 per cent Kosovo Serb). Female representation remains at 14.9 per cent in the Kosovo Police Service while it slightly decreased to 16.9 per cent in the Kosovo Correctional Service.

30. No professional judges ran as candidates in the last elections. However, 32 lay judges admitted to either being candidates or to being active members of political parties in violation of the code of ethics and conduct for lay judges. Investigations by the Judicial Inspection Unit are ongoing and suspensions will be recommended as appropriate.

31. The Prisoner's Personal Cash Account was transferred to the Ministry of Justice on 24 September as part of the ongoing transfer of executive functions of Dubrava Prison.

32. The Police Inspectorate of Kosovo, established in February 2007 to audit and inspect elements of the Kosovo Police Service, assumed responsibility for investigating all complaints against the Service as of 1 October.

33. A new police sub-station was established in the minority area of Magurë/Magura (Lipjan/Lipljan), raising the number of existing sub-stations to 21.

Challenges ahead

34. Further work is needed to effectively protect witnesses from intimidation.

35. The judicial system's inadequate resources continue to pose a significant challenge to professional human resources management in the courts and judiciary.

36. The law on courts should be finalized.

37. The Provisional Institutions should facilitate further transfer of responsibility for missing persons and forensics.

38. The Police Policy Unit within the Ministry of Internal Affairs should produce sound policies in the area of security and public safety to ensure the proper exercise of functional responsibilities by the Ministry and better coordination with the Kosovo Police Service Policy Analysis Unit.

Freedom of movement

39. No crimes related to freedom of movement were reported to the police during this period. However, Kosovo Serbs have expressed increasing security concerns as the Troika-led status discussions entered their final phase.

40. On 14 October, approximately 1,000 Serb pilgrims from Kosovo, Serbia and Montenegro participated in a religious feast in the Pejë/Peć Patriarchate, the largest

gathering at the Patriarchate in the last eight years. Many pilgrims also visited the Visoki Dečani Monastery without escort or the deployment of the Kosovo Police Service. On 24 November, an additional 2,000 Kosovo Serbs participated in the celebrations of St. Stephen's Day at the Visoki Dečani Monastery. This year's participation by pilgrims marks a record level: only 700 persons attended in 2005 and 1,400 in 2006.

41. The number of fixed positions of the Kosovo Force (KFOR) increased from nine to 24 owing to additional security measures implemented around cultural heritage sites during the elections. The additional checkpoints are now being scaled down. KFOR will continue to maintain 24-hour presence/protection in two minority localities in Obilić/Obiliq municipality occupied by 85 Kosovo Serbs.

42. The humanitarian transport service carries an estimated 32,000 beneficiaries on trains and 25,000 beneficiaries on bus lines monthly. The service is crucial for enabling minority access to essential services, institutions and opportunities.

43. The Humanitarian Transport Advisory Committee is not functioning, partly due to inadequate participation by the Ministry of Communities and Returns and partly due to delays in defining procedures for the selection of new routes. The fleet is ageing and there is a need to establish new routes, especially in return sites.

Challenges ahead

44. The Ministry of Transport and Communications should finalize the modalities for selecting new humanitarian transport routes, in consultation with the Ministry of Local Government Administration and the Ministry of Communities and Returns. Funds should be identified for the establishment of such routes.

Sustainable returns and the rights of communities and their members

45. Progress with several returns projects occurred during the reporting period: 20 families returned to a project implemented by the Ministry of Communities and Returns in Vushtrri/Vučitrn, 10 families returned to Klinë/Klina municipality, 20 families returned to Lipjan/Lipljan municipality while an additional 110 individuals have returned to the Roma Mahala district in Mitrovicë/Mitrovica bringing the total returns to the Mahala to 436 individuals for 2007.

46. An OSCE assessment of the planning and implementation process of municipal return strategies shows that further progress is needed in coordinating activities between central and local institutions and that there should be a greater involvement by representatives of the internally displaced community. Two municipalities, Dragash/Dragaš and Kamenicë/Kamenica, have prepared the 2008 municipal return strategies and only Istog/Istok has included funds for its implementation under the 2008 budget submission, even without finalizing its strategy.

47. Eighteen concept papers for returns/other initiatives worth more than €11.3 million were approved by the central review mechanism, chaired since last year by the Ministry of Communities and Returns. The current funding gap of €18 million for 23 multisectoral returns projects remains the most important obstacle to returns. Additional funding will be needed for individual returns and community development and stabilization projects.

48. The Provisional Institutions participated in all 38 "Go-and-See" visits carried out during this period, and municipal officials continue to provide public support to the returns process.

49. There has been no progress in the establishment of the long overdue database of internally displaced persons. However, with the support of the Office of the United Nations High Commissioner for Refugees (UNHCR), some progress was made in the establishment of the returnee database, although further efforts are needed from the Ministry of Communities and Returns before it can become operational.

50. In October, the Ministry of Education, Science and Technology launched a strategy on the integration of Roma, Ashkali and Egyptian students into Kosovo's educational system, which is a part of the overall strategy for development of pre-university education in Kosovo 2007-2017. The strategy foresees the inclusion of teaching in, and of, the Roma language.

51. On 22 November, Kosovo Serb village leaders from Badoc/Badovac, Çagllavicë/Čaglavica and Sushicë/Sušica met with Kosovo Energy Corporation to discuss payment of their electricity bills in exchange for an improvement in the local electricity supply. A follow-up meeting to discuss the terms and conditions of such an agreement is scheduled for 30 November.

52. In a major step to create a comprehensive repatriation related policy and operational framework, the draft readmission policy was approved by the Kosovo Government on 31 October and its standard operating procedures were also finalized. Furthermore, the Kosovo Government had earlier approved, on 10 October, the reintegration strategy to facilitate reintegration of repatriated individuals into Kosovo society.

53. Eighteen of the 27 concerned municipalities have submitted their third quarter report on fair-share financing. Only eight reporting municipalities (Deçan/Dečani, Kamenicë/Kamenica, Rahovec/Orahovac, Suharekë/Suva Reka, Shtërpcë/Štrpce, Shtime/Štimlje, Mitrovicë/Mitrovica and Prishtinë/Priština) have fulfilled or exceeded their quota compared to 11 for the same period in 2006.

Challenges ahead

54. Inter-ministerial coordination needs to be reinforced in the returns field, with the Ministry of Communities and Returns taking a stronger role in providing policy guidance to municipal institutions.

55. Municipalities should maintain written records of all complaints relating to access to public services which are received in their municipal offices in order to track and redress them effectively. The capacity of gender affairs officers should be strengthened to enable them to identify gender-based violations.

56. Guidelines should be issued to streamline time frames for the formulation of municipal reform strategies with the municipal budget planning process to ensure that funds for the implementation of such strategies are included in budget submissions.

57. The Ministry of Communities and Returns needs to establish sound procedures in conformity with relevant rules and regulations to combat current irregularities in administration and financial management.

58. The Ministry of Communities and Returns also needs to undertake steps necessary for the creation of a database of internally displaced persons and to dedicate additional resources to support the establishment of returnee databases at the municipal level.

59. The Ministry of Finance and Economy and the Ministry of Communities and Returns need to establish a firm deadline for the submission of the annual plan for minority projects and the fair-share financing reports and to plan sanctions for non-compliance.

60. All Kosovo ministries now have functioning human rights units but their overall coordination needs to improve. Seventeen municipalities have already established human rights units and all remaining municipalities should do the same. Structures identified to implement the Anti-Discrimination Law need to become operational.

61. Returns and community integration projects should be re-categorized under the medium-term expenditure framework to reflect the ongoing nature and continuity of the returns and reintegration process.

Economy

62. The Kosovo budget process is proceeding according to schedule. On 8 November, the Economic and Fiscal Council endorsed the draft Kosovo budget for 2008, totalling €1.027 billion. This is the first time that the budget has exceeded €1 billion. Current expenditure has been limited to €550 million, in compliance with the recommendations of the International Monetary Fund (IMF), and proposed capital expenditure has been increased from €200 million in 2007 to €350 million in 2008. The draft 2008 budget regulation is awaiting adoption by the Assembly.

63. Budget execution remains slow, with the Ministry of Finance and Economy reporting an overall spending rate of 64.5 per cent of annual appropriations by budget organizations up to November and a capital spending rate of 43 per cent of the annual budget during the same period.

64. In line with the recommendations of IMF, the Government has committed itself to reduce the number of civil service staff by 400 during 2008 and has rejected the draft Law on Pension and Invalidity Insurance due to the fiscal risks it posed.

65. Thirty waves of privatization have been launched by the Kosovo Trust Agency to date, with 545 new companies derived from the sale of assets of 312 socially owned enterprises. A total of 335 sales contracts have been signed and an additional 156 are pending signature.

66. As of 1 November, total privatization proceeds amounted to €345,271,484, €69,054,297 of which is owed to the eligible former workers of privatized enterprises. Of the second amount, €15,587,434 has already been disbursed to the Independent Union of Trade Unions, which distributes the proceeds to former employees.

67. The Kosovo Trust Agency Board of Directors has approved a total of 102 liquidations, with total proceeds amounting to €3,761,992. Seven new companies were withdrawn from tender due to lack of adequate cadastral records.

68. On 1 November, the Kosovo Trust Agency Board of Directors approved the incorporation plan for seven waste enterprises and three irrigation enterprises. This is the final phase in the incorporation of publicly owned enterprises in Kosovo.

69. The revenue collection figures for the Kosovo Energy Corporation for its third quarter of 2007 show some improvement, which can be attributed to better control of disconnections as well as an increase in metering. A total of 82.2 per cent of the energy available for sale was billed. Of the energy available that was billed, 94.4 per cent was collected. Overall, 77.6 per cent was collected from the energy available for sale.

70. A set of indicators for measuring tax compliance within the current system have been established. These indicators monitor trends in areas such as requests for value added tax (VAT) refunds and enforced collection. According to recent data, the number of requests for VAT refunds increased by approximately 300 per cent in the first half of 2007, while enforced collection increased by 95 per cent when compared to the same period in 2006.

Challenges ahead

71. The Kosovo Government needs to fully implement its commitments to IMF, including the need for stricter control, or revision of, eligibility criteria for basic pensions and other social benefits; an embargo on the introduction of any new social benefit schemes; the alignment of proposed legislation with available resources; and the commencement of detailed planning in order to implement the proposed reduction in public employment.

72. Budget organizations need to undertake immediate steps to implement the recommendations of the Auditor General regarding procurement and financial management practices.

73. The Tax Administration of Kosovo needs to further develop its systems to improve domestic revenue collection.

Property rights

74. Forty-eight decisions of the Housing and Property Claims Commission are pending implementation out of a total of 29,160 adjudicated cases.

75. While implementation of these decisions is ongoing, the most contentious decisions ran into problems during enforcement. In two recent cases in Klinë/Klina municipality and a third case in Deçan/Dečani, the Kosovo Police Service did not provide assistance to the Kosovo Property Agency in the execution of its decisions. These actions contravene the law on the final and enforceable character of the decisions of the Housing and Property Claims Commission. The Kosovo Property Agency is executing approximately 45 to 50 eviction orders per week and there has been a rise in the level of voluntary compliance with eviction decisions.

76. The Kosovo Property Agency has so far received 32,961 claims covering agricultural, commercial and residential properties. Over 90 per cent of claims have originated in Serbia, Montenegro and the former Yugoslav Republic of Macedonia, with claims coming from all communities. The claim intake will close on 3 December. The Kosovo Property Claims Commission has already issued decisions on 1,513 claims.

77. Implementation of the rental scheme for properties under the administration of the Kosovo Property Agency continues, with 2,617 holders of property rights including their property in the scheme. Under the scheme there have been 384 evictions implemented and 758 occupants currently paying rent, resulting in a total rental income of €373,240.

78. The digital immovable property rights register is fully functioning in 23 municipal cadastre offices.

79. The Ministry of Environment and Spatial Planning has appointed a new coordinator to ensure better coordination of the implementation of the standards.

Challenges ahead

80. Property rights-related legislative reform needs to continue. The draft Law on the Organization of Cadastral Institutions has been sent to the Government for further review. The draft Law on Housing and the draft Law on the Treatment of Illegal Construction are pending adoption by the Assembly of Kosovo. The draft Law on the Sale of Apartments and Tenure Rights needs to be harmonized with existing legislation on the Kosovo Trust Agency and the Kosovo Property Agency before it can be adopted by the Assembly.

81. Municipal authorities in Mitrovicë/Mitrovica are re-developing public lands in two former residential areas within the Roma Mahala district where long-established informal settlements by minority communities are present. This is adversely affecting the regularization of the settlement and emphasizes the need for a Kosovo-wide action plan on informal settlements.

82. A request for regularization of an informal settlement in Istog/Istok agreed between the municipality and the Kosovo Trust Agency is pending approval. The fact that the settlement comes within a proposed "protective zone" surrounding a Serbian Orthodox monastery might prevent its regularization and return of former inhabitants.

83. There are 10,724 property claims pending adjudication. The strategy to reduce the increasing judicial backlog of property claims needs to be implemented.

84. Municipalities need to adopt municipal development plans and Kosovo institutions need to prioritize spatial plans for special areas to prevent construction taking place in cultural heritage zones and sites of environmental value. Illegal constructions and uncontrolled urbanization projects remain widespread.

85. Concerns remain over the proper implementation of expropriations by Kosovo institutions.

Cultural heritage

86. The Reconstruction Implementation Commission has been meeting regularly since the resumption of its activities in July. The Commission has spent over €3 million so far and has requested a budget of €1.8 million for 2008. Works are expected to commence at six Serb Orthodox Church sites while tenders for five other sites are being processed for contracts.

87. There have been some setbacks due to the theft of newly installed lead from the roof of two sites in Prizren at the Church of the Holy Virgin Ljeviška and the

Church of Saint Kyriake; and at the Church of St. Nicholas in Prishtinë/Priština. All three sites have suffered similar thefts in the past. In another incident, reconstruction work in Gjakovë/Đakovica was stopped in November by the municipality, which cited lack of a license. The contractors at the site were also intimidated by three armed men who threatened to bomb machinery if the work continued.

88. The Kosovo Police Service recorded a total of 18 incidents targeting cultural heritage sites including vandalism, attempted arson and theft. Two persons were arrested and the cases are under investigation. Over 2,000 regular patrols and visits by the Kosovo Police Service to religious and cultural sites continue every week; the Service has also increased surveillance and patrolling of religious sites in all regions since November.

89. On 16 November, the Kosovo Government approved the allocation of €50,000 to provide additional security measures for the sites considered most vulnerable by the Serbian Orthodox Church. The Ministry of Culture, Youth and Sports also approved funding for the cleaning of two Jewish cemeteries in Prishtinë/Priština.

90. On 11 September, the Prime Minister signed an administrative instruction temporarily prohibiting construction in cultural and religious heritage protective zones.

Challenges ahead

91. The Reconstruction Implementation Commission needs the continued support of all stakeholders in order to conclude its undertaking by the end of 2008 as planned. Repeated incidents of theft from some reconstructed churches and other incidents continue to undermine the Commission's achievements. While improving security mechanisms is necessary, a more effective and sustainable solution would require that the churches be inhabited and functional.

92. Out of the seven subsidiary laws necessary for the implementation of the law on cultural heritage, only three have been drafted so far. The Ministry of Culture, Youth and Sports has finalized all sub-laws; however, a non-discriminatory policy for allocating funding for cultural heritage protection should also be defined in subsidiary legislation.

93. The Assembly of Kosovo must formally establish the Kosovo Council on Cultural Heritage and secure its budget.

94. The Provisional Institutions should continue to work on ways to ensure adequate protection of cultural heritage sites. The Ministry of Culture, Youth and Sports needs to complete the inventory of archaeological, architectural and moveable heritage and to establish a central database with public access.

95. The Belgrade-Pristina technical dialogue on cultural issues should be re-energized. In the interim, the existing mechanisms of the respective cultural coordinators should be reactivated.

Dialogue

96. On 3 October, the Government replaced the members of the dialogue working group on returns with a new five-member team, including one Kosovo Serb.

97. The missing persons working group continues to hold occasional ad hoc closed sessions, but with limited progress.

98. The energy and transport and communications working groups were inactive during the reporting period.

Challenges ahead

99. Efforts should be made to re-energize the dialogue working groups.

Kosovo Protection Corps

100. Minority representation within the Kosovo Protection Corps has remained steady throughout the reporting period. Of 2,906 active members, 6.6 per cent are from minority communities, of which 1.4 per cent are Kosovo Serbs.

101. Females continue to be represented at all levels of the Kosovo Protection Corps, though total numbers are relatively small at 3 per cent.

102. The Disciplinary Board dealt with seven individual cases during the reporting period, each of which resulted in dismissal for unauthorized absence. An amendment to the Disciplinary Code has been approved, empowering the Kosovo Protection Corps to temporarily suspend the pay of members who are absent without authority for more than seven days.

103. The Kosovo Protection Corps remains focused on developing and maintaining its operational capability. It continues to build on its demining capacity through ongoing training in order to license teams to handle larger-sized munitions. Ethnic minority outreach and humanitarian projects remain a priority task.

Challenges ahead

104. The Office of the Coordinator of the Kosovo Protection Corps and KFOR are working together on initiatives to maintain and enhance engagement with the Corps through activities which sustain its operations and preserve its public standing.

105. Following the audit of civil emergency preparedness currently under way by the United Kingdom Department for International Development, the role of the Kosovo Protection Corps in civil protection will need to be reinforced to develop effective capacity within the Provisional Institutions for civil emergency and crisis management.

Annex II

Police component of the United Nations Interim Administration Mission in Kosovo

(as at 30 November 2007)

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo

Country	*Number*	*Country*	*Number*
Argentina	10	Malawi	4
Austria	22	Nepal	17
Bangladesh	27	Nigeria	20
Brazil	2	Norway	15
Bulgaria	49	Pakistan	176
China	15	Philippines	40
Croatia	13	Poland	135
Czech Republic	25	Portugal	4
Denmark	24	Romania	181
Finland	10	Russian Federation	45
France	49	Slovenia	15
Germany	146	Spain	12
Ghana	48	Sweden	37
Greece	9	Switzerland	9
Hungary	15	Turkey	131
India	82	Uganda	4
Italy	30	United Kingdom of Great Britain and Northern Ireland	61
Jordan	68	United States of America	238
Kenya	15	Ukraine	166
Kyrgyzstan	9	Zambia	10
Lithuania	6	Zimbabwe	17
Total			**2 011**

Composition of the Kosovo Police Service

(as at 30 November 2007)

Category	*Percentage*	*Number*
Kosovo Albanians	84.37	6 041
Kosovo Serbs	10.00	716
Other ethnic minority members	5.63	403
Total		**7 160**
Men	86.41	6 187
Women	13.59	973

Annex III

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo

(as at 30 November 2007)

Country	*Number of liaison officers*
Argentina	1
Bangladesh	1
Bolivia	2
Bulgaria	1
Chile	1
Czech Republic	1
Denmark	1
Finland	2
Hungary	1
Ireland	4
Jordan	2
Kenya	2
Malawi	1
Malaysia	1
Nepal	1
New Zealand	2
Norway	1
Pakistan	2
Poland	1
Portugal	2
Romania	4
Russian Federation	1
Spain	2
Ukraine	2
United Kingdom of Great Britain and Northern Ireland	1
Zambia	1
Total	**41**

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Letter dated 27 December 2007 from the Secretary-General addressed to the President of the Security Council

With reference to Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006) and 1785 (2007), I have the honour to convey the attached letter dated 21 December 2007 (see annex), which I received from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union. The letter transmits the twelfth report on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR), covering the period from 1 September to 30 November 2007.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

07-66265 (E) 070108

Annex

Letter dated 21 December 2007 from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union addressed to the Secretary-General of the United Nations

In accordance with the provisions of United Nations Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006) and 1785 (2007), I attach the twelfth three-monthly report on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR). The report covers the period from 1 September to 30 November 2007. I should be grateful if you would transmit this report to the President of the United Nations Security Council.

(*Signed*) Javier **Solana**

Enclosure

Report of the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union on the activities of the European Union military mission in Bosnia and Herzegovina

I. Introduction

1. The present report covers the period 1 September to 30 November 2007.

2. The Security Council, in its resolutions 1575 (2004), 1639 (2005), 1722 (2006) and 1785 (2007), requested that Member States, acting through or in cooperation with the European Union (EU), report to the Council on the activities of the EU military mission (EUFOR) through the appropriate channels and at least at three-monthly intervals. This document is the twelfth such report.

II. Political background

3. Attempts to reach political agreement on police reform dominated the political agenda during September. Discussions between political leaders of Bosnia and Herzegovina, facilitated by the High Representative and EU Special Representative, Miroslav Lajčák, ended inconclusively on 11 October.

4. On 19 October, the High Representative announced a series of measures designed to improve the functioning of institutions in Bosnia and Herzegovina (a Decision enacting the Law on Changes and Amendments to the Law on the Council of Ministers; and proposed changes to the Rules of Procedure of both Houses of Parliament). These measures attracted strong support from the international community, but were initially opposed by the Republika Srpska leadership.

5. The High Representative/EU Special Representative engaged intensively with political leaders of Bosnia and Herzegovina in the second half of October and in November. On 28 October, the six Bosnia and Herzegovina party political leaders signed the "Mostar Declaration" on honouring the commitments for the implementation of police reform with the aim of initialling and signing the Stabilization and Association Agreement and, on 22 November, the Action Plan for Implementation of the Mostar Declaration. In the Action Plan the six party political leaders committed themselves to adopting the necessary legislation for the establishment of State bodies and police structures in line with the three EU principles within six months.

6. On 30 November, the Parliamentary Assembly of Bosnia and Herzegovina agreed on amendments to its Rules of Procedure, which met the criteria formulated by the High Representative. In the same context, agreement was also reached with regard to the Authentic Interpretation of the 19 October Decision on the Law on the Council of Ministers. On the basis of this agreement, the High Representative enacted the Authentic Interpretation on 3 December.[1]

7. The European Commission assessed that the Mostar Declaration and the Action Plan, both of which were adopted by the Bosnia and Herzegovina Council of Ministers on 3 December,[1] together represented progress towards meeting EU

[1] Beyond the reporting period but included for completeness.

conditionality, as a result of which the EU Commissioner for Enlargement, Olli Rehn, initialled the text of the Stabilization and Association Agreement with Bosnia and Herzegovina on 4 December.[1]

III. Security situation and EUFOR activities

8. The security situation in Bosnia and Herzegovina remained stable throughout the reporting period.

9. The current force of some 2,500 EUFOR troops is concentrated in Sarajevo, with liaison and observation teams deployed throughout Bosnia and Herzegovina. EUFOR continues to conduct operations in line with its mandate: providing deterrence; ensuring continued compliance in relation to the responsibilities specified in the General Framework Agreement for Peace, annexes 1-A and 2; and contributing to a safe and secure environment. At the request of the International Criminal Tribunal for the Former Yugoslavia, EUFOR, assisted by the Republika Srpska Ministry of Interior Special Police, conducted search operations of Radovan Karadzic's network in Pale near Sarajevo. Material was seized during the operations and handed over for further investigation. EUFOR continues to support the Bosnia and Herzegovina law enforcement agencies in fighting organized crime in close cooperation with the EU Police Mission (EUPM).

10. In the area of defence reform, the Tactical Support Brigade and the Air Defence Brigade of the Armed Forces of Bosnia and Herzegovina were activated, respectively, on 12 and 18 September. On 27 September EUFOR handed over the responsibility for demining to the Ministry of Defence of Bosnia and Herzegovina and the Armed Forces of Bosnia and Herzegovina, and signed a memorandum of understanding with the Armed Forces of Bosnia and Herzegovina on the donation of demining equipment. EUFOR, together with the independent inspection teams of the Armed Forces of Bosnia and Herzegovina, carried out full inspections of ammunition storage sites. In October, the final draft of the Law on Civilian Movement Control was handed over to the Legislative Committee of the Parliament of Bosnia and Herzegovina for comment. The law is one of the legal preconditions for the transfer of responsibility for joint military affairs to the Armed Forces of Bosnia and Herzegovina.

11. During the reporting period, EUFOR undertook joint training activities with the Armed Forces of Bosnia and Herzegovina in order to increase local capacity to maintain security and safeguard the safe and secure environment. The Armed Forces of Bosnia and Herzegovina also observed EUFOR map exercises.

12. On 22 October, General John McColl succeeded General Sir John Reith as Operation Commander, and, on 4 December, Major General Ignacio Martin Villalain succeeded Rear Admiral Hans-Jochen Wirthauer as Force Commander.[1]

IV. Outlook

13. In the forthcoming months, the main political focus is likely to centre on implementation of the Mostar Declaration on police reform, and other necessary issues on the reform agenda.